

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1337 Step into Success Workforce Education and Internship Pilot Program

SPONSOR(S): Overdorf

TIED BILLS: **IDEN./SIM. BILLS:** SB 1190

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Children, Families & Seniors Subcommittee	13 Y, 0 N	Brazzell	Brazzell
2) Health Care Appropriations Subcommittee	14 Y, 0 N	Fontaine	Clark
3) Health & Human Services Committee	19 Y, 0 N	Brazzell	Calamas

SUMMARY ANALYSIS

Young adults who age out of the foster care system can experience challenges achieving self-sufficiency.

HB 1337 creates the "Step Into Success Act," and establishes the three-year Step into Success Workforce Education and Internship Pilot Program (program) to be implemented by the Department of Children and Families (DCF). The purpose of the program is to give eligible foster youth and former foster youth an opportunity to: learn and develop essential workforce and professional skills; transition from the custody of DCF to independent living; and become better prepared for an independent and successful future.

The program includes two specific components: a workforce education component and an onsite internship component. The bill specifies how the pilot program will operate and includes reporting requirements. State government agencies as well as private-sector organizations may be sites for interns, who must be assigned mentors and, subject to available funding, receive stipends.

The bill has a significant, negative fiscal impact on the DCF and no fiscal impact on local governments.

The bill provides an effective date of July 1, 2023.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Florida's Dependency System

Chapter 39, F.S., creates the dependency system charged with protecting child welfare. Florida's dependency system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. DCF and the 18 community-based care lead agencies (CBCs) throughout Florida¹ work with those families to address the problems endangering children, if possible. If the problems are not addressed, DCF and the CBCs find safe out-of-home placements for these children.

DCF's practice model is based on the safety of the child within the home by using in-home services, such as parenting coaching and counseling, to maintain and strengthen that child's natural supports in his or her environment.

DCF contracts with CBCs for case management, out-of-home services, and related services. The outsourced provision of child welfare services is intended to increase local community ownership of service delivery and design. CBCs contract with a number of subcontractors for case management and direct care services to children and their families.

DCF remains responsible for a number of child welfare functions, including operating the central abuse hotline, performing child protective investigations, and providing children's legal services.² Ultimately, DCF is responsible for program oversight and the overall performance of the child welfare system.³

Permanency

When children are placed in out-of-home care, child welfare agencies must find safe, permanent homes for them as quickly as possible. In most cases, children are reunified with their families. When reunification is not possible DCF seeks to place children in permanent homes with relatives or adoptive families. Florida law requires a permanency hearing no later than 12 months after the child was removed from the home or within 30 days after a court determines that reasonable efforts to return the child to either parent are not required, whichever occurs first.⁴ The purpose of the permanency hearing is for the court to determine when the child will achieve permanency or whether modifying the permanency goal is in the child's best interest.⁵ A permanency hearing must be held at least every 12 months for any child who continues to be supervised by DCF or awaits adoption.⁶

The permanency goals under Florida law, listed in order of preference are:

- Reunification;
- Adoption, if a petition for termination of parental rights has been or will be filed;
- Permanent guardianship under s. 39.6221, F.S.;
- Permanent placement with a fit and willing relative under 39.6231, F.S.; or
- Placement in another planned permanent living arrangement under s. 39.6241, F.S.⁷

Permanency Outcomes by Age of Entry

¹ These 18 CBCs together serve the state's 20 judicial circuits.

² Ch. 39, F.S.

³ *Id.*

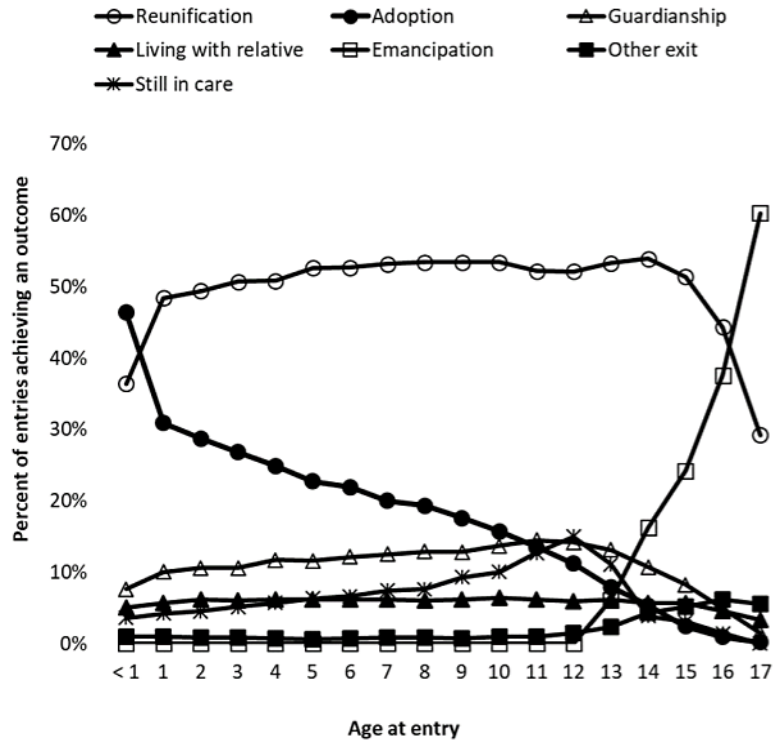
⁴ S. 39.621(1), F.S.

⁵ *Id.*

⁶ *Id.*

⁷ S. 39.621(3), F.S.

The U.S. Department of Health and Human Services analyzed national permanency outcomes for children in the foster care system using state reported data.⁸ The following graph describes the outcomes of children exiting care by age at entry.



Below are some likely outcomes as presented on the graph:⁹

- Reunification is the most likely outcome for children who enter care between ages 1 and 16.
- Children under age 1 who enter care are the only group for whom adoption is the most likely outcome (the likelihood of adoption decreases the older the child is when entering care).
- Guardianship likelihood increases the older the child is when entering care, until age 13.
- Most likely to still be in care after four years are those who enter care between ages 9 and 13.
- Emancipation likelihood increases the older the age of entry, for entry between ages 13 and 17.

Children who enter foster care between the ages of 9 and 13 who do not reunify within the first two years may stay in foster care longer, either waiting to be adopted or aging out of care. For youth entering at age 16 or older, aging out of care is the most likely outcome. Aging out of care generally means a youth reached the state's legal age of adulthood without achieving permanency. Additionally, older children who are not reunified within the first year are much less likely to be reunified in subsequent years when compared to younger children who enter care and do not reunify in the first year.¹⁰

Older Foster Youth

Young adults who age out of the foster care system have challenges achieving self-sufficiency. Compared to young adults without foster care involvement, these young adults are less likely to earn a high school diploma or GED, or attend college. They are more likely to have mental health problems,

⁸ U.S. Department of Health and Human Services, Administration for Children and Families, ACYF-CB-IM-21-01, <https://www.acf.hhs.gov/sites/default/files/documents/cb/im2101.pdf> (last viewed March 13, 2023).

⁹ *Id.*, at 7.

¹⁰ *Id.*, at 8.

have a higher rate of criminal justice system involvement, have difficulty achieving financial independence, need public assistance, and experience housing instability and homelessness.

In Fiscal Year (FY) 2020-2021, 1,047 young adults started the year at 17 years of age in Florida’s foster care system.¹¹ Of those, 862 (82%) aged out of care at the age of 18. Such foster youth can elect to enter Florida’s extended foster care program if they meet certain requirements. Of these, 477 entered extended foster care and were eligible to receive foster care services until age 21 (or 22 if disabled).¹²

The Children’s Bureau within the U.S. Department of Health & Human Services collects information about the characteristics and experiences of current and former foster youth across the country. The National Youth in Transition Database tracks the independent living services each state provides to foster youth in care and assesses each state’s performance in providing independent living and transition services.¹³ The 2018 Florida survey¹⁴ documented outcomes related to education, employment, housing, finances and transportation, health and well-being, and connections, indicated in the chart below.¹⁵

Outcomes of Young Adults who Aged Out of Care	
Area	Outcome
Education	<ul style="list-style-type: none"> 74% were enrolled in and attending high school, GED classes, post-high school vocational training, or college. 12% experienced barriers that prevented them from continuing education. The top three reported barriers included the need to work full-time, not having transportation, and having academic difficulties.
Employment	<ul style="list-style-type: none"> 15% were employed full-time (35 hours per week or more). 26% were employed part-time. 78% had a paid job over the last year. 22% completed an apprenticeship, internship, or other on-the-job training, either paid or unpaid.
Housing	<ul style="list-style-type: none"> The top three current living situations included living in their own apartment, house, or trailer; living with friends or a roommate; and living in a group care setting (including a group home or residential care facility). 41% had to couch surf or move from house to house because they did not have a permanent place to stay. 27% experienced some type of homelessness in the past year.¹⁶
Financial & Transportation	<ul style="list-style-type: none"> 46% received public food assistance. 10% received social security payments (Supplemental Security Income, Social Security Disability Insurance, or dependents’ payments). 83% had a reliable means of transportation to school/work. 76% had an open bank account.
Health & Well-Being	<ul style="list-style-type: none"> 85% were on Medicaid. 18% had children. 34% had not received medical care for a physical health problem, treatment for a mental health problem, or dental care in the past two years for some health problem needing to be addressed. 24% were confined in a jail, prison, correctional facility, or juvenile detention facility within the past two years.
Connections	<ul style="list-style-type: none"> 85% had at least one adult in their life, other than their case manager, to go to for advice or emotional support. 67% had a close relationship with biological family members.

¹¹ Email from John Paul Fiore, Legislative Affairs Director, Florida Department of Children and Families, Updated Info, Jan. 20, 2022 (on file with the House Children, Families, and Seniors Subcommittee).

¹² *Id.*

¹³ DCF periodically surveys current and former foster youth ages 18-22 who turned 18 in licensed care. Many of the young adults completing the survey receive services through EFC, PECS, and Aftercare.

¹⁴ The survey reflects the responses of 933 young adults.

¹⁵ Florida National Youth in Transition Database, 2018 Survey Data Report, <https://www.myflfamilies.com/service-programs/independent-living/docs/2018%20Florida%20NYTD%20Statewide%20Report%20Final.pdf> (last viewed March 11, 2023).

¹⁶ *Id.*

Independent Living Services

Under s. 39.6035, F.S., DCF and CBCs, in collaboration with the caregiver and any other individual whom the child would like to include, must assist the child in developing a transition plan out of foster care during the year after a child turns 16. The transition plan must address specific options for the child to use in obtaining services, including housing, health insurance, education, financial literacy, a driver license, and workforce support and employment services. The transition plan must be updated as needed before the child turns 18. During the transition plan process, children should be informed of all the independent living services Florida provides to allow the child to decide what independent living program would best fit his or her needs.

Florida provides independent living services to older youth to help them transition out of foster care and to prepare them to become self-sufficient adults. Florida's independent living services include extended foster care, which applies to young adults who were in licensed foster care upon turning 18. Florida also offers two other independent living programs: Postsecondary Education Services and Supports (PESS) and Aftercare Services.

Office of Continuing Care

In 2021, the Legislature created the Office of Continuing Care (OCC) within DCF. This program operates as a point of contact for young adults who age out of the foster care system until they reach the age of 26. The purpose of the OCC is to ensure this population receives ongoing support and care coordination needed to achieve self-sufficiency. The duties of the OCC include:

- Informing eligible young adults about the OCC and the types of supports it offers;
- Providing information on how to access services to support the young adult's self-sufficiency;
- Assisting eligible young adults in accessing services and supports, and;
- Collaborating with CBCs to identify local resources.

DCF staffs the OCC primarily with individuals with lived experience in the foster care system. These employees use their unique viewpoint and focus to provide information, access to ongoing supports, and care navigation for the specific population they serve.

The Office of Continuing Care has served nearly 500 clients since it launched in October 2021. The top requested services or referrals requested by OCC clients include:

- information to understand available services as a youth who has aged out of care,
- connection to an Independent Living Specialist, and
- housing.¹⁷

Effect of Proposed Changes

Section 409.1455, F.S., is created and titled the "Step Into Success Act," and establishes the three-year Step into Success Workforce Education and Internship Pilot Program (program). The purpose of the program is to give eligible foster youth and former foster youth an opportunity to: learn and develop essential workforce and professional skills; transition from the custody of DCF to independent living; and become better prepared for an independent and successful future. The program contemplates two specific components that the program must include: a workforce education component and an onsite internship component.

The OCC, in consultation with subject-matter experts and the CBCs, must develop and administer the pilot program for interested foster youth and former foster youth. The bill authorizes DCF to contract with entities that have demonstrable subject-matter expertise in the necessary areas to collaborate with the OCC in the development and administration of the pilot program. The independent living

professionalism and workforce education component of the program must culminate in a certificate that allows a former foster youth to participate in the onsite workforce training internship.

The bill provides definitions for relevant terms, including but not limited to:

- “Former foster youth” means an individual 18 years of age or older but younger than 26 years of age who is currently or was previously placed in licensed care, excluding Level I licensed placements pursuant to s. 409.175(5)(a)1, F.S., for at least 60 days within the state.
- “Foster youth” means an individual older than 16 years of age but younger than 18 years of age who is currently in licensed care, excluding Level I licensed placements pursuant to s. 409.175(5)(a)1, F.S.
- “Participating organization” means a state agency, a corporation under chapter 607 or chapter 617, or another relevant entity that has agreed to collaborate with the Office in the development and implementation of a trauma-informed onsite workforce training internship program.

The bill requires the internship program to be administered as part of an eligible foster youth’s regular transition planning under s. 39.6035, F.S., or as a post-transition service for eligible former foster youth.

The OCC must begin providing the professionalism and workforce education on or before January 1, 2024, and begin providing the onsite workforce training internships on or before July 1, 2024.

The bill establishes the requirements for the independent living professionalism and workforce education component to include:

- Designate and ensure that the number of qualified staff is sufficient to implement and administer the component, which may be part of a larger independent living or life skills training program if the larger program meets certain requirements.
- Develop all workshops, presentations, and curricula for the component, including, but not limited to, all written educational and training materials for foster youth and former foster youth. The office must review and update these materials as necessary. The training materials must address, but are not limited to, the following:
 - Interview skills;
 - Professionalism;
 - Teamwork;
 - Leadership;
 - Problem solving; and
 - Conflict resolution in the workplace.
- Require that the training provided be in addition to any other life skills or employment training required by law.
- Provide relevant written materials from the component and any relevant tools developed to ensure participants’ successful transition to internships to all participating organizations that offer workforce training internship opportunities.
- Provide materials to inform eligible foster youth and former foster youth of the program, the requirements for participation, and contact information for enrollment. The CBCs shall ensure that any subcontracted providers that directly serve youth receive this information.
- Advertise and promote the availability of the education and internship program.
- Assess the career interests of each eligible foster youth and former foster youth who expresses interest in participating in the program and determine the most appropriate internship and post-internship opportunities.

The bill establishes the requirements for DCF for the onsite workforce internship component to include:

- Developing processes and procedures to implement a trauma informed onsite workforce internship component. The processes and procedures of the internship component must be designed so that they can be replicated and scaled to meet various organizational structures and sizes. The component must include:
 - Recruitment of agencies, corporations, and other entities to host interns as participating organizations;

- Assisting participating organizations with mentor recruitment, training, and matching;
- Mentor-led performance reviews, including a review of the intern's work product, professionalism, time management, communication style, and stress-management strategies;
- Development of opportunities for interns to become employees of the participating organization;
- Reporting requirements; and
- Daily mentorship and coaching on topics such as:
 - Professionalism;
 - Teamwork;
 - Leadership;
 - Problem solving; and
 - Conflict resolution in the workplace
- Developing a minimum of one hour of required trauma-informed training for mentors to teach the skills necessary to engage with participating eligible former foster youth.
- Providing assistance to eligible foster youth and former foster youth interested in participating in the internship component, including, but not limited to, identifying and monitoring internship opportunities, being knowledgeable of the training and skills needed to match eligible foster youth and former foster youth with appropriate internships, and assisting eligible foster youth and former foster youth with applying for post-internship employment opportunities.
- Publicizing specific internship positions in an easily accessible manner and inform eligible foster youth and former foster youth of where to locate such information.
- Developing a process and schedule for the distribution of stipends to former foster youth participating in the component, subject to the availability of funds.
- Distributing funds appropriated for the compensation of mentors who are participating in the component.
- Developing and conduct follow-up surveys with:
 - Former foster youth within three months after their internship start date to ensure successful transition into the work environment and to gather feedback on how to improve the experience for future participants.
 - Mentors assigned to participating former foster youth. Such data must be collected by October 1, 2024, and by October 1 annually thereafter, for inclusion in the independent living services annual report.
 - Any other persons the office deems relevant for purposes of continued improvement of the internship component.
- By May 1, 2024, providing to the Board of Governors and the State Board of Education all relevant internship information necessary to support the award of postsecondary credit or career education clock hours for internship positions held by former foster youth participating in the onsite workforce training internship component.

The bill establishes requirements for the participating organizations to include:

- Collaborating with the OCC to implement a trauma informed approach to mentoring and training former foster youth.
- Recruiting employees to serve as mentors for former foster youth interning with such organizations
- Providing relevant feedback to the office at least annually for the office to comply with paragraph.
- Collaborating with the department to provide any requested information necessary to prepare the annual report.

To serve as a mentor, an employee of a participating organization must:

- Have worked for the participating organization for at least one year;
- Have experience relevant to the job and task responsibilities of the intern;
- Sign a monthly hour statement for the intern;

- Allocate at least one hour per month to conduct mentor-led performance reviews, to include a review of the intern's work product, professionalism, time management, communication style, and stress-management strategies; and
- Complete a minimum of one hour of trauma-informed training to gain skills critical for successfully engaging former foster youth.

Subject to available funding, an employee who serves as a mentor and receives the required trauma-informed training is eligible for a maximum payment of \$1,200 per intern per fiscal year, to be issued as a \$100 monthly payment for every month of service as a mentor. An employee may serve as a mentor for a maximum of three interns at one time and may not receive more than \$3,600 in compensation per fiscal year for serving as a mentor.

The bill establishes time limits for participation in the internship program to be no more than one year, calculated as 12 monthly stipend periods. The former foster youth may intern with more than one participating organization within the 12 months but may not intern with more than one participating organization at the same time.

The bill directs the Board of Governors and the State Board of Education to adopt a process for awarding postsecondary credit or career education credit hours for participants on the internship program.

The bill establishes conditions of participation in the onsite internship component of the program to include:

- The applicant must meet the definition of a foster youth or a former foster at the time they apply for an internship position with a participating organization. A foster youth or former foster youth who has completed the training component with the department may apply for a position with a participating organization but may not begin an internship until they are 18 years old.
- If offered an internship, a former foster youth must be classified as an intern and must work 80 hours per month to be eligible for the stipend payment.
- A former foster youth must spend any stipend funds specified for clothing on attire that is in compliance with the dress code requirements of the participating organization and comply with any dress code requirements of the participating organization.

When necessary, the intern shall have a discussion with an intern's assigned mentor, the participating organization's internship program liaison, and the office about the creation of a corrective action plan to address issues related to the intern's professionalism, work product, or performance and, if applicable, after giving the intern a reasonable opportunity to comply with the corrective action plan, document the intern's failure to do so before discharging him or her.

The stipend is calculated based on the 80 hours listed in the bill and a pay rate of \$20 an hour. Stipend money earned pursuant to the internship component may not be considered earned income for purposes of computing eligibility for federal or state benefits, including, but not limited to, the Supplemental Nutrition Assistance Program, a housing choice assistance voucher program, the Temporary Cash Assistance Program, the Medicaid program, or the school readiness program. Notwithstanding this paragraph, any reduction in the amount of benefits or loss of benefits due to receipt of the Step into Success stipend may be offset by an additional stipend payment equal to the value of the maximum benefit amount for a single person allowed under the Supplemental Nutrition Assistance Program.

A former foster youth may, at the discretion of a postsecondary educational institution within this state in which such youth is enrolled, earn postsecondary credit or career education clock hours for work performed as an intern under the internship component. Postsecondary credit and career education clock hours earned for work performed under the internship component may be in addition to any compensation earned for the same work performed under the internship component and may be awarded for completion of all or any part of the internship component. Participating organizations shall cooperate with postsecondary educational institutions to provide any information about internship

positions which is necessary to enable the institutions to determine whether to grant the participating former foster youth postsecondary credit or career education clock hours toward his or her degree.

A former foster youth who accepts an internship with a participating organization may only be discharged from the internship component after the participating organization engages the intern's assigned mentor and the participating organization's internship program staff to assist the intern in performing the duties of the internship. Before discharging the former foster youth, the participating organization must also document the intern's failure to comply with a corrective action plan after being given a reasonable opportunity to do so.

The bill requires DCF to include a section on the Step into Success Workforce Education and Internship Program in the independent living annual report prepared pursuant to s. 409.1451(6), F.S., which include:

- Whether the program is in compliance with program requirements, and if not, barriers to compliance.
- Lists of participating organizations and number of interns.
- A summary of recruitment efforts to increase the number of participating organizations.
- A summary of the feedback and surveys received pursuant to paragraph (6)(h) from participating former foster youth, mentors, and others who have participated in the program.
- Recommendations, if any, for actions necessary to improve the quality, effectiveness, and outcomes of the pilot program.
- Employment outcomes of former foster youth who participated in the pilot program, including employment status after completion of the program, whether he or she is employed by the participating organization in which he or she interned or by another entity, and job description and salary information, if available.

B. SECTION DIRECTORY:

Section 1: creating s. 409.1455, F.S., relating to the Step into Success Workforce Education and Internship Pilot Program for foster youth and former foster youth.

Section 2: amending s. 414.56, F.S., relating to the Office of Continuing Care.

Section 3: providing an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill has a significant fiscal impact to DCF over the course of three years, with a total cumulative cost of approximately \$7.1 million as participation in the pilot is anticipated to grow. The cost of the program will depend upon the number of participants. DCF would initiate the pilot in one region for the first year, expand the model to two additional regions in the second year, and ultimately make the program available statewide for the third year.

There are three fiscal components to the bill. DCF has estimated the number of participants per year and the associated costs as follows:

	Year 1	Year 2	Year 3
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New FTE	\$934,842 (9.0 FTE) \$48,825 is Non-recurring	\$886,017 (9.0 FTE) – Prior Year \$853,003 (9.0 FTE) – New + Nonrecurring \$1,739,020 (18.0 FTE) - Total	\$1,690,195 (18.0 FTE) – Prior Years \$1,186,245 (12.0 FTE) – New \$2,876,440 (30.0 FTE) - Total
Stipends	\$665,280	\$1,995,840	\$3,991,680
Mentorships	\$45,796	\$137,388	\$274,775
Training and Advertising	\$1,000,000		
TOTAL	\$2,645,918	\$3,872,248	\$7,142,895

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

To the extent that non-governmental entities host interns through the program, they will benefit from the additional help provided by the interns they host.

D. FISCAL COMMENTS:

The cost of the pilot program will depend in part on the number of participants.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill authorizes the DCF to establish rules to implement the program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill details a large number of specific requirements for the pilot program. This may impair DCF's ability to recruit organizations outside of state government to participate as employers, if those organizations' systems and policies are in conflict with the bill's requirements.

Transition planning pursuant to s. 39.6035, F.S., is currently required for youth in out-of-home care, young adults in extended foster care, Postsecondary Education Services and Support, and Aftercare. The definition proposed for the internship includes many young adults who would not be eligible for transition planning services because they are no longer in care. Those youth who are no longer involved with the system would not be assigned case management assistance to administer the plan as described in the bill.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.