

By Senator Rich

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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
29 attendance; providing penalties for caregivers who

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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,

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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;
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

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88 Program for young adults who want to remain in care
89 after reaching 18 years of age; providing eligibility,
90 termination, and reentry requirements for the program;
91 requiring a court hearing before termination;
92 providing for the development of a transition plan;
93 specifying the contents of the transition plan;
94 requiring that a young adult be provided with
95 specified documentation; requiring that the transition
96 plan be coordinated with the case plan and a
97 transition plan prepared pursuant to the Individuals
98 with Disabilities Education Act for a young adult with
99 disabilities; requiring the creation of a notice that
100 specifies the options that are available to the young
101 adult; requiring annual judicial reviews; creating the
102 College Bound Program for young adults who have
103 completed high school and have been admitted to an
104 eligible postsecondary institution; providing
105 eligibility requirements; providing for a stipend;
106 requiring satisfactory academic progress for
107 continuation of the stipend; providing for
108 reinstatement of the stipend; providing for
109 portability of services for a child or young adult who
110 moves out of the county or out of state; specifying
111 data required to be reported to the department and
112 Legislature; conforming terminology relating to the
113 Independent Living Services Advisory Council;
114 providing rulemaking authority to the Department of
115 Children and Family Services; amending s. 409.903,
116 F.S.; conforming a cross-reference; requiring the

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117 department to amend the case plan and judicial social
118 service review formats; providing for young adults
119 receiving transition services to continue to receive
120 existing services until December 31, 2011; providing
121 exceptions; providing an effective date.
122

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

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

127 39.013 Procedures and jurisdiction; right to counsel.—

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

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

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

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

180 39.6012 Case plan tasks; services.—

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

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

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

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

194 2. The child's grade level performance;

195 3. The child's school record;

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

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

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

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

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

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

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

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

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

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

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

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

231 39.6015 Services for older children in care.-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

356 (e) Education advocacy.—

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

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

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

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

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

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

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

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

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

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407 curriculum.

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

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

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

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

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

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

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

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

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

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

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

493 1. An older child who plans to attend a college or

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

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

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

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

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

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

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

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

548 7. The community-based care provider shall conduct a staff
549 meeting at least every 6 months for each child who is enrolled
550 in high school. The community-based care provider shall complete
551 an independent living assessment to determine the child's skills

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552 and abilities to become self-sufficient and live independently
553 after the first staff meeting conducted after the child enters
554 high school. The assessment must consider those skills that are
555 expected to be acquired by a child from his or her school
556 setting and living arrangement. The community-based care
557 provider must provide the needed services if additional services
558 are necessary to ensure that the child obtains the appropriate
559 independent living skills. Such additional independent living
560 skills may include, but not be limited to, training to develop
561 banking and budgeting skills, interviewing skills, parenting
562 skills, time management or organizational skills, educational
563 support, employment training, and personal counseling. The
564 community-based care provider shall document in the case plan
565 evidence of the child's progress toward developing independent
566 living skills.

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

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

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

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581 decisionmaking, and time-management skills.

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

585 d. Is provided with an opportunity to participate in
586 activities and services provided by the Department of Economic
587 Opportunity and the regional workforce boards within the
588 Division of Workforce Services which prepare all young adults,
589 including those with a disability, for the workforce.

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

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

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

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

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

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610 (4) DEVELOPMENT OF THE TRANSITION PLAN.—If a child is
611 planning to leave care upon reaching 18 years of age, during the
612 180-day period before the child reaches 18 years of age, the
613 department and community-based care provider, in collaboration
614 with the caregiver, any other designated education advocate, and
615 any other individual whom the child would like to have included,
616 shall assist and support the older child in developing a
617 transition plan. The transition plan must take into account all
618 of the education and other skills achieved by the child in
619 middle and high school, must include specific options for the
620 child on housing, health insurance, education, local
621 opportunities for mentors and continuing support services, and
622 workforce support and employment services, and must be reviewed
623 by the court during the last review hearing before the child
624 reaches 18 years of age. In developing the plan, the department
625 and community-based provider shall:

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

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

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

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

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639 (5) ACCOUNTABILITY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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697 in care who are in middle school or high school. For each age,
698 the number of children who have documentation in the case plan
699 that they are involved in at least one extracurricular activity,
700 whether it is a school-based or community-based activity,
701 whether they are involved in at least one service or volunteer
702 activity, and who provides the transportation.

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

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

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

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

719 39.701 Judicial review.—

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

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

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

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

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

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

757 4.5. Has been provided with All relevant information
758 related to the Road-to-Independence Program, including, but not
759 limited to, eligibility requirements, information on how forms
760 necessary to participate apply, and assistance in gaining
761 admission to the program ~~completing the forms~~. The child shall
762 also be informed that, if he or she is eligible for the Road-to-
763 Independence Program, he or she may reside with the licensed
764 ~~foster~~ family or group care provider with whom the child was
765 residing at the time of attaining his or her 18th birthday or
766 may reside in another licensed ~~foster~~ home or with a group care
767 provider arranged by the department.

768 5.6. An opportunity to ~~Has an~~ open a bank account, or
769 obtain ~~has~~ identification necessary to open an account, and has
770 been provided with essential banking and budgeting skills.

771 6.7. Has been provided with Information on public
772 assistance and how to apply.

773 7.8. Has been provided A clear understanding of where he or
774 she will be living on his or her 18th birthday, how living
775 expenses will be paid, and in what educational program or school
776 he or she will be enrolled ~~in~~.

777 8.9. Information related to the ability ~~Has been provided~~
778 ~~with notice of the~~ child youth's right to remain in care until
779 he or she reaches 21 years of age ~~petition for the court's~~
780 ~~continuing jurisdiction for 1 year after the youth's 18th~~
781 ~~birthday~~ as specified in s. 39.013(2) and ~~with~~ information on
782 how to participate in the Road-to-Independence Program ~~obtain~~
783 ~~access to the court.~~

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

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

788 11. His or her entire educational records.

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

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

791 14.10. Encouragement ~~Has been encouraged~~ to attend all
792 judicial review hearings occurring after his or her 17th
793 birthday.

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

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

807 (d) ~~(e)~~ At the time of a judicial review hearing held
808 pursuant to this subsection, if, in the opinion of the court,
809 the department has not complied with its obligations as
810 specified in the written case plan or in the provision of
811 ~~independent living~~ services as required by s. 39.6015, s.
812 409.1451, and this subsection, the court shall issue a show

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

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

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

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

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

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

835 5. A statement that either:

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

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

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

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842 with a summary of additional progress needed and the agency
843 recommendations.

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

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

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

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

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

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

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

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

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

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

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

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

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900 testimony by the social services agency, the parent, the
901 caregiver ~~foster parent~~ or legal custodian, the guardian ad
902 litem or surrogate parent for educational decisionmaking if one
903 has been appointed for the child, and any other person deemed
904 appropriate; and any relevant and material evidence submitted to
905 the court, including written and oral reports to the extent of
906 their probative value. These reports and evidence may be
907 received by the court in its effort to determine the action to
908 be taken with regard to the child and may be relied upon to the
909 extent of their probative value, even though not competent in an
910 adjudicatory hearing. In its deliberations, the court and any
911 citizen review panel shall seek to determine:

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

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

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

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

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

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

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

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

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

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

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

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

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958 other permanent placement.

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

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

969 Section 5. Section 409.1451, Florida Statutes, is amended
970 to read:

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

973 409.1451 The Road-to-Independence Program.—The Legislature
974 recognizes that most children and young adults are resilient
975 and, with adequate support, can expect to be successful as
976 independent adults. Not unlike all young adults, some young
977 adults who have lived in care need additional resources and
978 support for a period of time after reaching 18 years of age. The
979 Legislature intends for these young adults to receive the
980 education, training, and health care services necessary for them
981 to become self-sufficient through the Road-to-Independence
982 Program. A young adult who participates in the Road-to-
983 Independence Program may choose to remain in care until 21 years
984 of age and receive help achieving his or her postsecondary goals
985 by participating in the Foundations First Program, or he or she
986 may choose to receive financial assistance to attend college

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987 through the College Bound Program.

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

1008 (a) Eligibility; termination; and reentry.—

1009 1. A young adult who was living in licensed care on his or
1010 her 18th birthday or who is currently living in licensed care,
1011 or who after reaching 16 years of age was adopted from licensed
1012 care or placed with a court-approved dependency guardian, and
1013 has spent a minimum of 6 months in licensed care within the 12
1014 months immediately preceding such placement or adoption, is
1015 eligible for the Foundations First Program if he or she is:

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- 1016 a. Completing secondary education or a program leading to
1017 an equivalent credential;
- 1018 b. Enrolled in an institution that provides postsecondary
1019 or vocational education;
- 1020 c. Participating in a program or activity designed to
1021 promote, or eliminate barriers to, employment;
- 1022 d. Employed for at least 80 hours per month; or
- 1023 e. Unable to participate in these programs or activities
1024 full time due to a physical, intellectual, emotional, or
1025 psychiatric condition that limits participation. Any such
1026 restriction to participation must be supported by information in
1027 the young adult's case file or school or medical records of a
1028 physical, intellectual, or psychiatric condition that impairs
1029 the young adult's ability to perform one or more life
1030 activities.
- 1031 2. The young adult in care must leave the Foundations First
1032 Program on the earliest of the date the young adult:
- 1033 a. Knowingly and voluntarily withdraws his or her consent
1034 to participate;
- 1035 b. Leaves care to live in a permanent home consistent with
1036 his or her permanency plan;
- 1037 c. Reaches 21 years of age;
- 1038 d. Becomes incarcerated in an adult or juvenile justice
1039 facility; or
- 1040 e. In the case of a young adult with a disability, reaches
1041 22 years of age.
- 1042 3. Notwithstanding the provisions of this paragraph, the
1043 department may not close a case and the court may not terminate
1044 its jurisdiction until it finds, following a hearing held after

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1045 notice to all parties, that the following criteria have been
1046 met:

1047 a. Attendance of the young adult at the hearing; or

1048 b. Findings by the court that:

1049 (I) The young adult has been informed by the department of
1050 his or her right to attend the hearing and has provided written
1051 consent to waive this right;

1052 (II) The young adult has been informed of the potential
1053 negative effects of terminating care early, the option to
1054 reenter care before reaching 21 years of age, the procedure to,
1055 and limitations on, reentering care, the availability of
1056 alternative services, and that the young adult has signed a
1057 document attesting that he or she has been so informed and
1058 understands these provisions;

1059 (III) The young adult has voluntarily left the program, has
1060 not signed the document in sub-sub-subparagraph (II), and is
1061 unwilling to participate in any further court proceedings; and

1062 (IV) The department and the community-based care provider
1063 have complied with the case plan and any individual education
1064 plan. At the time of this judicial hearing, if, in the opinion
1065 of the court, the department and community-based provider have
1066 not complied with their obligations as specified in the case
1067 plan and any individual education plan, the court shall issue a
1068 show cause order. If cause is shown for failure to comply, the
1069 court shall give the department and community-based provider 30
1070 days within which to comply and, upon failure to comply with
1071 this or any subsequent order, the department and community-based
1072 provider may be held in contempt.

1073 4. A young adult who left care at or after reaching his or

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1074 her 18th birthday, but before reaching age 21, may be
1075 automatically readmitted to the program by applying to the
1076 community-based care provider. The community-based care provider
1077 shall readmit the young adult if he or she is engaged in the
1078 programs or activities described in this paragraph. Any
1079 additional readmissions require that the young adult petition
1080 the court to resume jurisdiction. The department and community-
1081 based provider shall update the case plan within 30 days after
1082 the young adult comes back into the Foundations First Program.

1083 (b) *Benefits and requirements.*

1084 1. A stipend shall be available to a young adult who is
1085 considered a full-time student or its equivalent by the
1086 educational institution in which he or she is enrolled, unless
1087 that young adult has a recognized disability preventing full-
1088 time attendance. The amount of the award, whether it is being
1089 used by a young adult working toward completion of a high school
1090 diploma or its equivalent or working toward completion of a
1091 postsecondary education program, shall be determined based on an
1092 assessment of the funding needs of the young adult. This
1093 assessment must consider the young adult's living and
1094 educational costs based on the actual cost of attendance, and
1095 other grants, scholarships, waivers, earnings, or other income
1096 to be received by the young adult. An award shall be available
1097 only to the extent that other grants and scholarships are not
1098 sufficient to meet the living and educational needs of the young
1099 adult, but an award may not be less than \$25 in order to
1100 maintain Medicaid eligibility for the young adult as provided in
1101 s. 409.903.

1102 2. The young adult must reside in a semi-supervised living

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1103 arrangement. For the purposes of this requirement, a "semi-
1104 supervised living arrangement" includes foster homes, college
1105 dormitories, shared housing, semi-supervised apartments,
1106 supervised apartments, or another housing arrangement approved
1107 by the provider and acceptable to the young adult.

1108 3. Payment of the stipend shall be made directly on the
1109 recipient's behalf in order to secure housing and utilities,
1110 with the balance being paid directly to the young adult.

1111 4. A young adult who so desires may continue to reside with
1112 the licensed foster family or group care provider with whom he
1113 or she was residing at the time he or she attained his or her
1114 18th birthday. The department shall pay directly to the foster
1115 parent the recipient's costs for room and board services, with
1116 the balance paid directly to the young adult.

1117 (c) Transition plan.—For all young adults during the 180-
1118 day period immediately before leaving care, before reaching 21
1119 years of age, or after leaving care on or after reaching 21
1120 years of age, the department and the community-based care
1121 provider, in collaboration with the caregiver, any other
1122 designated education advocate, or any other individual whom the
1123 young adult would like to include, shall assist and support the
1124 young adult in developing a transition plan. The transition plan
1125 must take into account all of the education and other
1126 achievements of the young adult, include specific options for
1127 the young adult for housing, health insurance, education, local
1128 opportunities for mentors and continuing support services, and
1129 workforce support and employment services, and must be reviewed
1130 by the court during the last review hearing before the child
1131 leaves care. In developing the plan, the department and

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1132 community-based provider shall:

1133 1. Provide the young adult with the documentation required
1134 in s. 39.701(7);

1135 2. Coordinate with local public and private entities in
1136 designing the transition plan as appropriate;

1137 3. Coordinate the transition plan with the independent
1138 living provisions in the case plan and the Individuals with
1139 Disabilities Education Act transition plan for a young adult
1140 with disabilities; and

1141 4. Create a clear and developmentally appropriate notice
1142 specifying the rights of a young adult who is leaving care. The
1143 notice must include information about what services the young
1144 adult may be eligible for and how such services may be obtained.
1145 The plan must clearly identify the young adult's goals and the
1146 work that will be required to achieve those goals.

1147 (d) Periodic reviews for young adults.—

1148 1. For any young adult who continues to remain in care on
1149 or after reaching 18 years of age, the department and community-
1150 based provider shall implement a case review system that
1151 requires:

1152 a. A judicial review at least once a year;

1153 b. The court to maintain oversight to ensure that the
1154 department is coordinating with the appropriate agencies, and,
1155 as otherwise permitted, maintains oversight of other agencies
1156 involved in implementing the young adult's case plan and
1157 individual education plan;

1158 c. The department to prepare and present to the court a
1159 report, developed in collaboration with the young adult,
1160 addressing the young adult's progress in meeting the goals in

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1161 the case plan and individual education plan, and shall propose
1162 modifications as necessary to further those goals;

1163 d. The court to determine whether the department and any
1164 service provider under contract with the department is providing
1165 the appropriate services as identified in the case plan and any
1166 individual education plan. If the court decides that the young
1167 adult is entitled to additional services in order to achieve the
1168 goals enumerated in the case plan, under the department's
1169 policies, or under a contract with a service provider, the court
1170 may order the department to take action to ensure that the young
1171 adult receives the identified services and remediation for any
1172 failure to timely provide identified services; and

1173 e. The young adult or any other party to the dependency
1174 case may request an additional hearing or review.

1175 2. In all permanency hearings or hearings regarding the
1176 transition of the young adult from care to independent living,
1177 the court shall consult, in an age-appropriate manner, with the
1178 young adult regarding the proposed permanency, case plan, and
1179 individual education plan for the young adult.

1180 3. For any young adult who continues to remain in care on
1181 or after reaching 18 years of age, the community-based care
1182 provider shall provide regular case management reviews that must
1183 include at least monthly contact with the case manager.

1184 (e) *Early entry into Foundations First.*—A child who has
1185 reached 16 years of age but is not yet 18 years of age is
1186 eligible for early entry into the program, if he or she meets
1187 the eligibility requirements, as determined by the case manager
1188 and the department, using procedures and assessments established
1189 by rule.

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1190 (2) THE COLLEGE BOUND PROGRAM.—

1191 (a) Purpose.—This program is designed for young adults who
1192 are 18 years of age but are not yet 23 years of age, have
1193 graduated from high school, have been accepted into a college, a
1194 Florida College System institution, or a vocational school, and
1195 need minimal support from the state other than the financial
1196 resources to attend college.

1197 (b) Eligibility; termination; and reentry.—

1198 1. A young adult who has earned a standard high school
1199 diploma or its equivalent as described in s. 1003.43 or s.
1200 1003.435, has earned a special diploma or special certificate of
1201 completion as described in s. 1003.438, or has been admitted for
1202 full-time enrollment in an eligible postsecondary educational
1203 institution as defined in s. 1009.533, and is 18 years of age
1204 but is not yet 23 years of age is eligible for the College Bound
1205 Program if he or she:

1206 a. Was living in care on his or her 18th birthday or is
1207 currently living in care, or, after reaching 16 years of age,
1208 was adopted from care or placed with a court-approved dependency
1209 guardian and has spent a minimum of 6 months in care within the
1210 12 months immediately preceding such placement or adoption; and

1211 b. Spent at least 6 months in care before reaching his or
1212 her 18th birthday.

1213 2. A young adult with a disability may attend school part
1214 time and be eligible for this program.

1215 3. A stipend is available to a young adult who is
1216 considered a full-time student or its equivalent by the
1217 educational institution in which he or she is enrolled, unless
1218 that young adult has a recognized disability preventing full-

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1219 time attendance. The amount of the award shall be determined
1220 based on an assessment of the funding needs of the young adult.
1221 This assessment must consider the young adult's living and
1222 educational costs based on the actual cost of attendance, and
1223 other grants, scholarships, waivers, earnings, or other income
1224 to be received by the young adult. An award is available only to
1225 the extent that other grants and scholarships are not sufficient
1226 to meet the living and educational needs of the young adult, but
1227 an award may not be less than \$25 in order to maintain Medicaid
1228 eligibility for the young adult as provided in s. 409.903.

1229 4. An eligible young adult may receive a stipend for the
1230 subsequent academic years if, for each subsequent academic year,
1231 the young adult meets the standards by which the approved
1232 institution measures a student's satisfactory academic progress
1233 toward completion of a program of study for the purposes of
1234 determining eligibility for federal financial aid under the
1235 Higher Education Act. Any young adult who is placed on academic
1236 probation may continue to receive a stipend for one additional
1237 semester if the approved institution allows the student to
1238 continue in school. If the student fails to make satisfactory
1239 academic progress in the semester or term subsequent to the term
1240 in which he received academic probation, the stipend assistance
1241 is discontinued for the period required for the young adult to
1242 be reinstated by the college or university. Upon reinstatement,
1243 a young adult who has not yet reached 23 years of age may
1244 reapply for financial assistance.

1245 (3) EMERGENCY ASSISTANCE.—

1246 (a) Emergency assistance is available to assist young
1247 adults who were formerly in the care of the department in their

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1248 efforts to continue to develop the skills and abilities
1249 necessary for independent living. Such assistance includes, but
1250 is not limited to, the following:

1251 1. Mentoring and tutoring.

1252 2. Mental health services and substance abuse counseling.

1253 3. Life skills classes, including credit management and
1254 preventive health activities.

1255 4. Parenting classes.

1256 5. Job and career skills training.

1257 6. Counselor consultations.

1258 7. Temporary financial assistance.

1259 8. Financial literacy skills training.

1260
1261 The specific services to be provided under this subparagraph
1262 shall be determined by an assessment of the young adult and may
1263 be provided by the community-based care provider or through
1264 referrals in the community.

1265 (b) Temporary assistance provided to prevent homelessness
1266 shall be provided as expeditiously as possible and within the
1267 limitations defined by the department.

1268 (c) A young adult who is 18 years of age or older but is
1269 not yet 23 years of age who leaves care but requests services
1270 before reaching 23 years of age is eligible to receive such
1271 services.

1272 (4) APPEAL PROCESS.—

1273 (a) The Department of Children and Family Services shall
1274 adopt a procedure by which a young adult may appeal an
1275 eligibility determination, the department's failure to provide
1276 Road-to-Independence Program services, or the termination of

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1277 such services, if funds for such services or stipend are
1278 available.

1279 (b) The procedure must be readily accessible to young
1280 adults, must provide for timely decisions, and must provide for
1281 an appeal to the department. The decision of the department
1282 constitutes final agency action and is reviewable by the court
1283 as provided in s. 120.68.

1284 (5) PORTABILITY.—The services provided under this section
1285 are portable across county and state lines.

1286 (a) The services provided for in the original transition
1287 plan shall be provided by the county where the young adult
1288 resides but shall be funded by the county where the transition
1289 plan was initiated. The care managers of the county of residence
1290 and the county of origination must coordinate to ensure a smooth
1291 transition for the young adult.

1292 (b) If a child in care under 18 years of age is placed in
1293 another state, the sending state is responsible for care
1294 maintenance payments, case planning, including a written
1295 description of the programs and services that will help a child
1296 16 years of age or older prepare for the transition from care to
1297 independence, and a case review system as required by federal
1298 law. The sending state has placement and care responsibility for
1299 the child.

1300 (c) If a young adult formerly in care moves to another
1301 state from the state in which he or she has left care due to
1302 age, the state shall certify that it will provide assistance and
1303 federally funded independent living services to the young adult
1304 who has left care because he or she is 18 years of age. The
1305 state in which the young adult resides is responsible for

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1306 services if the state provides the services needed by the young
1307 adult.

1308 (6) ACCOUNTABILITY.—

1309 (a) The community-based care lead agencies and their
1310 contracted providers shall report the following information to
1311 the department:

1312 1. Out of the total number of young adults who remain in
1313 care upon reaching 18 years of age, the number of young adults
1314 who do not have a high school diploma or its equivalent, a
1315 special diploma, or a certificate of completion. Out of those
1316 young adults without a diploma or its equivalent, a special
1317 diploma, or a certificate of completion, the number of young
1318 adults who are receiving assistance through tutoring and other
1319 types of support.

1320 2. Out of the total number of young adults who decided to
1321 remain in care after reaching 18 years of age, a breakdown of
1322 academic and career goals and type of living arrangement.

1323 3. The same information required in subparagraphs 1. and
1324 2., specific to young adults in care with a disability.

1325 4. Out of the total number of young adults remaining in
1326 care, the number of young adults who are enrolled in an
1327 educational or vocational program and a breakdown of the types
1328 of programs.

1329 5. Out of the total number of young adults remaining in
1330 care, the number of young adults who are working and a breakdown
1331 of the types of employment held.

1332 6. Out of the total number of young adults remaining in
1333 care, the number of young adults who have a disability and a
1334 breakdown of how many young adults are in school, are training

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1335 for employment, are employed, or are unable to participate in
1336 any of these activities.

1337 7. Evidence that the lead agency has established a working
1338 relationship with the Department of Economic Opportunity and the
1339 regional workforce boards within the Division of Workforce
1340 Services, the Able Trust, and other entities that provide
1341 services related to gaining employment.

1342 8. Out of the total number of young adults in care upon
1343 reaching 18 years of age, the number of young adults who are in
1344 the Road-to-Independence Program and a breakdown by the schools
1345 or other programs they are attending.

1346 9. Out of the total number of young adults who are in
1347 postsecondary institutions, a breakdown of the types and amounts
1348 of financial support received from sources other than the Road-
1349 to-Independence Program.

1350 10. Out of the total number of young adults who are in
1351 postsecondary institutions, a breakdown of the types of living
1352 arrangements.

1353 (b) Each community-based care lead agency shall provide its
1354 report to the department and to the Independent Living Services
1355 Advisory Council by September 30 of each year. The department
1356 shall compile the reports from each community-based care lead
1357 agency and provide them to the Legislature by December 31 of
1358 each year, with the first report due to the Legislature on
1359 December 31, 2012.

1360 (7) INDEPENDENT LIVING SERVICES ADVISORY COUNCIL.—The
1361 secretary shall establish the Independent Living Services
1362 Advisory Council for the purpose of reviewing and making
1363 recommendations concerning the implementation and operation of

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1364 the provisions of s. 39.6015 and the Road-to-Independence
1365 Program. The advisory council shall function as specified in
1366 this subsection until the Legislature determines that the
1367 advisory council can no longer provide a valuable contribution
1368 to the department's efforts to achieve the goals of the services
1369 designed to enable a young adult to live independently.

1370 (a) Specifically, the advisory council shall assess the
1371 implementation and operation of the provisions of s. 39.6015 and
1372 the Road-to-Independence Program and advise the department on
1373 actions that would improve the ability of those Road-to-
1374 Independence Program services to meet the established goals. The
1375 advisory council shall keep the department informed of problems
1376 being experienced with the services, barriers to the effective
1377 and efficient integration of services and support across
1378 systems, and successes that the system of services has achieved.
1379 The department shall consider, but is not required to implement,
1380 the recommendations of the advisory council.

1381 (b) The advisory council shall report to the secretary on
1382 the status of the implementation of the Road-To-Independence
1383 Program; efforts to publicize the availability of the Road-to-
1384 Independence Program; the success of the services; problems
1385 identified; recommendations for department or legislative
1386 action; and the department's implementation of the
1387 recommendations contained in the Independent Living Services
1388 Integration Workgroup Report submitted to the appropriate
1389 substantive committees of the Legislature by December 31, 2013.
1390 The department shall submit a report by December 31 of each year
1391 to the Governor and the Legislature which includes a summary of
1392 the factors reported on by the council and identifies the

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1393 recommendations of the advisory council and either describes the
1394 department's actions to implement the recommendations or
1395 provides the department's rationale for not implementing the
1396 recommendations.

1397 (c) Members of the advisory council shall be appointed by
1398 the secretary of the department. The membership of the advisory
1399 council must include, at a minimum, representatives from the
1400 headquarters and district offices of the Department of Children
1401 and Family Services, community-based care lead agencies, the
1402 Department of Economic Opportunity, the Department of Education,
1403 the Agency for Health Care Administration, the State Youth
1404 Advisory Board, Workforce Florida, Inc., the Statewide Guardian
1405 Ad Litem Office, foster parents, recipients of services and
1406 funding through the Road-to-Independence Program, and advocates
1407 for children in care. The secretary shall determine the length
1408 of the term to be served by each member appointed to the
1409 advisory council, which may not exceed 4 years.

1410 (d) The department shall provide administrative support to
1411 the Independent Living Services Advisory Council to accomplish
1412 its assigned tasks. The advisory council shall be afforded
1413 access to all appropriate data from the department, each
1414 community-based care lead agency, and other relevant agencies in
1415 order to accomplish the tasks set forth in this section. The
1416 data collected may not include any information that would
1417 identify a specific child or young adult.

1418 (e) The advisory council report required under paragraph
1419 (b), shall include an analysis of the system of independent
1420 living transition services for young adults who reach 18 years
1421 of age while in care prior to completing high school or its

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1422 equivalent and recommendations for department or legislative
1423 action. The council shall assess and report on the most
1424 effective method of assisting these young adults to complete
1425 high school or its equivalent by examining the practices of
1426 other states.

1427 (8) PERSONAL PROPERTY.—Property acquired on behalf of a
1428 young adult of this program shall become the personal property
1429 of the young adult and is not subject to the requirements of
1430 chapter 273 relating to state-owned tangible personal property.
1431 Such property continues to be subject to applicable federal
1432 laws.

1433 (9) MEDICAL ASSISTANCE FOR YOUNG ADULTS FORMERLY IN CARE.—
1434 The department shall enroll in the Florida Kidcare program,
1435 outside the open enrollment period, each young adult who is
1436 eligible as described in paragraph (1) (a) and who has not yet
1437 reached his or her 19th birthday.

1438 (a) A young adult who was formerly in care at the time of
1439 his or her 18th birthday and who is 18 years of age but not yet
1440 19 years of age, shall pay the premium for the Florida Kidcare
1441 program as required in s. 409.814.

1442 (b) A young adult who has health insurance coverage from a
1443 third party through his or her employer or who is eligible for
1444 Medicaid is not eligible for enrollment under this subsection.

1445 (10) RULEMAKING.—The department shall adopt rules to
1446 administer this section. The rules shall provide the procedures
1447 and requirements necessary to administer the Road-to-
1448 Independence Program. In developing the rules, the department
1449 shall consider that the program is for young adults who remain
1450 in care for an extended period of time or who are planning to

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1451 attain postsecondary education and accommodate a young adult's
1452 busy life and schedule. The rules shall make the program easy
1453 for a qualified young adult to access and facilitate and
1454 encourage his or her participation.

1455 Section 6. Subsection (4) of section 409.903, Florida
1456 Statutes, is amended to read:

1457 409.903 Mandatory payments for eligible persons.—The agency
1458 shall make payments for medical assistance and related services
1459 on behalf of the following persons who the department, or the
1460 Social Security Administration by contract with the Department
1461 of Children and Family Services, determines to be eligible,
1462 subject to the income, assets, and categorical eligibility tests
1463 set forth in federal and state law. Payment on behalf of these
1464 Medicaid eligible persons is subject to the availability of
1465 moneys and any limitations established by the General
1466 Appropriations Act or chapter 216.

1467 (4) A child who is eligible under Title IV-E of the Social
1468 Security Act for subsidized board payments, foster care, or
1469 adoption subsidies, and a child for whom the state has assumed
1470 temporary or permanent responsibility and who does not qualify
1471 for Title IV-E assistance but is in foster care, shelter or
1472 emergency shelter care, or subsidized adoption. This category
1473 includes a young adult who is eligible to receive services under
1474 s. 409.1451~~(5)~~, until the young adult reaches 21 years of age,
1475 without regard to any income, resource, or categorical
1476 eligibility test that is otherwise required. This category also
1477 includes a person who as a child was eligible under Title IV-E
1478 of the Social Security Act for foster care or the state-provided
1479 foster care and who is a participant in the Road-to-Independence

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1480 Program.

1481 Section 7. The Department of Children and Family Services
1482 shall format the case plan and the judicial review social
1483 service report consistent with the provisions of ss. 39.6015 and
1484 409.1451, Florida Statutes.

1485 Section 8. Effective October 1, 2012, a child or young
1486 adult who is a participant in the Road-to-Independence Program
1487 may continue in the program as it exists through December 31,
1488 2012. Effective January 1, 2013, a child or young adult who is a
1489 participant in the program shall transfer to the program
1490 services provided in this act and his or her monthly stipend may
1491 not be reduced, the method of payment of the monthly stipend may
1492 not be changed, and the young adult may not be required to
1493 change his or her living arrangement. These conditions shall
1494 remain in effect for a child or young adult until he or she
1495 ceases to meet the eligibility requirements under which he or
1496 she entered the Road-to-Independence Program. A child or young
1497 adult applying or reapplying for the Road-to-Independence
1498 Program on or after October 1, 2012, may apply for program
1499 services only as provided in this act.

1500 Section 9. This act shall take effect July 1, 2012.