

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Children, Families, and Elder Affairs

BILL: SB 1190

INTRODUCER: Senator Garcia

SUBJECT: Step into Success Workforce Education and Internship Pilot Program

DATE: March 13, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Tuszynski</u>	<u>Cox</u>	<u>CF</u>	<u>Pre-meeting</u>
2.	_____	_____	<u>AHS</u>	_____
3.	_____	_____	<u>FP</u>	_____

I. Summary:

The bill creates s. 409.1455, F.S., cited as the “Step into Success Act,” establishing the Step into Success Workforce Education and Internship Program (program) as a three-year pilot administered by the Department of Children and Families’ (DCF) Office of Continuing Care (OCC). The program must consist of an independent living professionalism and workforce education component and, for youth that complete that component, an onsite workforce training internship component that uses employees of participating organizations as mentors. The purpose of the program is to assist foster youth transitioning to adulthood to:

- Develop essential workforce and professional skills;
- Transition from the custody of the DCF to independent living; and
- Become best prepared for an independent and successful future.

The bill specifies and details numerous requirements for the operation of each component of the program as well as for participating organizations, mentors, and foster and former foster youth who participate. Some of the specific requirements are:

- The program is available to foster and former foster youth between the ages of 16 and 25 who are currently or were previously in foster care. A foster youth may participate in the education component at age 16 years of age or older, but a former foster youth may not begin the internship portion until turning 18 years of age.
- The program must match mentors in participating organizations with the youth participating to ensure that the youth acquire as many skills as possible and provide a \$1,200 per year payment to mentors with a limitation on the number of interns a mentor may be paired with in a given year.
- The DCF must perform follow-up surveys with foster and former foster youth, mentors, and other persons to include specific information about the program and recommendations for improvement in an annual report.

- The DCF must implement the workforce education component on or before January 1, 2024 and the internship component on or before July 1, 2024.

The bill provides for a monthly stipend to former foster youth participating in the internship component and ensures that the stipend does not count toward income in the determination of self-sufficiency benefit eligibility. Further, the bill provides a specified increase in the stipend payment amount if the youth does have a loss or reduction of any benefits.

The bill requires the Board of Governors and State Board of Education to adopt rules and regulations to award postsecondary credit or career education clock hours to program participants.

The bill requires the DCF to adopt rules to implement the program.

The bill will have an indeterminate fiscal impact on state government. See Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2023.

II. Present Situation:

Florida's Child Welfare System

Florida's child welfare system identifies children and families in need of services through reports to the central abuse hotline and child protective investigations. The DCF and community-based care lead agencies (CBC) work with those families to address the problems endangering children, if possible. If the problems cannot be addressed, the child welfare system finds safe out-of-home placements for these children until a permanency option can be identified.

Florida Central Abuse Hotline

The DCF operates the Florida central abuse hotline (hotline), which accepts reports 24 hours a day, seven days a week of known or suspected child abuse, abandonment, or neglect.¹ A child protective investigation begins with a report by any person to the hotline. Law requires any person who knows or suspects that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care, shall report such knowledge or suspicion to the hotline.²

Once the hotline obtains information from a reporter, the allegations of the report must meet the statutory definition required to trigger a child protective investigation. For a report to be accepted and initiate an investigation the hotline must have reasonable cause to believe that the child is at risk of or was harmed by abuse, abandonment, or neglect.³

¹ Section 39.101(1)(a), F.S.

² Section 39.201(1)(a), F.S.

³ See ss. 39.101(1)(b) and 39.101(2), F.S.

Child Protective Investigations

The DCF must conduct a child protective investigation if a hotline report meets the statutory definition of child abuse, abandonment, or neglect. An investigation is commenced immediately or within 24 hours after the report is received, depending on the nature of the allegation.⁴ The child protective investigator assesses the safety and perceived needs of the child and family and whether the child should receive in-home services or removed and placed in out-of-home care.

Community-Based Care Organizations and Services

If a child protective investigation results in verified findings of abuse or neglect, the child will receive a case plan and services are provided to the family to address the problems that are endangering the child. The DCF contracts for case management, out-of-home care, and related services with CBCs. The use of CBCs to provide child welfare services is intended to increase local community ownership of service delivery and design.⁵

The DCF contracts for case management, out-of-home care (foster care), adoption, and other related services with lead agencies, also known as community-based care organizations (CBCs). The Legislature designed the CBC model to increase local community ownership of service delivery and design of child welfare services.⁶

The DCF, through the CBCs, administers a system of care⁷ for children that is directed toward:

- Prevention of separation of children from their families;
- Intervention to allow children to remain safely in their own homes;
- Reunification of families who have had children removed from their care;
- Safety for children who are separated from their families;
- Promoting the well-being of children through emphasis on educational stability and timely health care;
- Permanency; and
- Transition to independence and self-sufficiency.⁸

The CBCs must give priority to services that are evidence-based and trauma informed.⁹ The CBCs contract with a number of subcontractors for case management and direct care services to children and their families. There are 17 CBCs statewide, which together serve the state's 20 judicial circuits.¹⁰ The CBCs employ case managers that serve as the primary link between the child welfare system and families with children under the DCF's supervision. These case

⁴ Section 39.201(2)(a), F.S.

⁵ The Department of Children and Families, *About Community-Based Care*, available at <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/about-community-based-care> (last visited March 7, 2023) (hereinafter cited as "DCF").

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*; Also see generally s. 409.988, F.S.

⁹ Section 409.988(3), F.S.

¹⁰ The DCF, *Lead Agency Information*, available at <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/community-based-care/lead-agency-information> (last visited March 7, 2023).

managers work with affected families to ensure that a child reaches his or her permanency goal in a timely fashion.¹¹

Transition to Independent Living

Sometimes a child's particular case results in that child not finding permanency through reunification, adoption, or another arrangement and that child transitions to young adulthood while in the care of the DCF. In these instances, the DCF is required to assist children who are transitioning out of foster care to independent living and self-sufficiency, including the requirement to:

- Identify important life skills that children in out-of-home care should acquire;
- Develop a list of age-appropriate activities and responsibilities for children and caregivers;
- Design and disseminate training for caregivers related to building needed life skills;
- Regularly assess the degree of life skills acquired by each child beginning after the child's 13th birthday, and support the caregiver in implementing an updated transition plan as necessary;
- Provide opportunities for children to interact with qualified, trained mentors; and
- Develop and implement procedures for children of sufficient age and understanding to directly access and manage the personal allowance they receive from the DCF.¹²

During the year after a child reaches 16 years of age, the DCF and community-based care lead agency as well as other specified individuals are required to assist the child in developing a transition plan.¹³ The plan must include specific resources that the child may use to obtain services, such as housing, health insurance and education, and tasks to establish and maintain naturally occurring mentoring relationships.¹⁴ The DCF and CBC are required to periodically meet with the young adult to review and update the transition plan beyond the young adults 18th birthday if the young adult is participating in Independent Living Services.¹⁵

Florida provides Independent Living Services to assist young adults in obtaining the skills, education, and support necessary to become self-sufficient after his or her exit from foster care into adulthood.¹⁶ The program comprises three main programs: postsecondary education services and support, extended foster care, and aftercare.¹⁷ The categories of services to assist in the successful transition to adulthood include:

- Independent living needs assessment;
- Academic support;
- Postsecondary educational support;
- Career preparation;

¹¹ Section 409.988(1), F.S.

¹² Section 409.14515, F.S.

¹³ Section 39.6035(1), F.S.

¹⁴ *Id.*

¹⁵ Section 39.6035(5), F.S.

¹⁶ Section 409.1451, F.S. The Road-to-Independence program was created in statute in 2002. Over the last 21 years the program has been expanded and added to larger initiatives focused on independent living. Today, the independent living services provided under Road-to-Independence are generally referred to as "Independent Living Services" as the overall construction of the program has grown outside of s. 409.1451, F.S., and the term "Road-to-Independence" is rarely used.

¹⁷ See generally ss. 409.1451 and 39.6251, F.S.

- Employment programs or vocational training;
- Budget and financial management;
- Housing education and home management training;
- Health education and risk prevention;
- Family support and healthy marriage education;
- Mentoring;
- Supervised independent living;
- Room and board financial assistance;
- Education financial assistance: and
- Other financial assistance.¹⁸

Postsecondary Education Services and Support (PESS)

PESS is a program that provides monthly financial support for a young adult to secure housing, utilities, and assist with cost of living while attending certain postsecondary educational institutions.¹⁹

A young adult is eligible for PESS if certain criteria are met, including:

- Specified criteria with respect to when the child was living in foster care;
- Earned a standard high school diploma;²⁰
- Has been admitted for enrollment as a full-time²¹ student or its equivalent in an eligible postsecondary institution as provided in s. 1009.533, F.S.;²²
- Has reached 18 years of age, but is not yet 23 years of age;
- Has applied for any other grants and scholarships for which he or she may qualify;
- Submitted a complete and error-free Free Application for Federal Student Aid; and
- Signed an agreement to allow the DCF and the community-based care lead agency to access his or her school records.²³

¹⁸ Daniel Kids, *Florida's Independent Living Resource Center*, available at <https://www.danielkids.org/our-programs/floridas-i-l-resource-center/> (last visited March 7, 2023) (hereinafter cited as “Daniel”).

¹⁹ The DCF, *Postsecondary Education Services and Support (PESS)*, available at <https://www.myflfamilies.com/services/child-family/independent-living/youth-young-adults/postsecondary-education-services-and> (last visited March 7, 2023).

²⁰ Pursuant to s. 1002.3105(5), F.S., s. 1003.4281, F.S., or s. 1003.4282, F.S., or its equivalent pursuant to s. 1003.435, F.S.

²¹ Section 409.1451(2)(a)4., F.S., defines “full-time” as 9 credit hours or the vocational school equivalent.

²² Section 1009.533, F.S., provides for eligible postsecondary education institutions, including: (1) a Florida public university, Florida College System institution, or career center; (2) An independent Florida college or university that is accredited by an accrediting association whose standards are comparable to the minimum standards required to operate an institution at that level in Florida and which has operated in the state for at least 3 years; (3) an independent Florida postsecondary education institution that is licensed by the Commission for Independent Education and meets other specified criteria; (4) a Florida independent postsecondary education institution that offers a nursing diploma approved by the Board of Nursing; and (5) A Florida independent postsecondary education institution that is licensed by the Commission for Independent Education.

²³ Section 409.1451(2)(a), F.S.

Extended Foster Care

A child who is living in foster care on his or her 18th birthday and who has not achieved permanency in accordance with s. 39.621, F.S.,²⁴ is eligible to remain in licensed care under the care of the DCF and the jurisdiction of the court if he or she is:

- Completing secondary education or equivalent program;
- Enrolled in a postsecondary or vocational education institution;
- Participating in a program to eliminate barriers to employment;
- Employed for at least 80 hours per month; or
- Unable to participate in any of the above-listed programs or activities.²⁵

A young adult²⁶ who participates in extended foster care must reside in a DCF-approved supervised living environment. The young adult must live independently in this approved placement, but the DCF and CBC must provide the young adult with supervision, case management, and supportive services.²⁷

Aftercare Services

Aftercare services are available for a young adult who has reached 18 years of age but is not yet 23 years of age and is:

- Not in foster care.
- Temporarily not receiving financial assistance to pursue postsecondary education.²⁸

The specific aftercare services to be provided are determined by an assessment of an eligible young adult, and may include, in part:

- Mentoring and tutoring;
- Mental health services and substance abuse counseling;
- Life skills classes;
- Parenting classes;
- Job and career skills training;
- Counselor consultations;
- Temporary assistance for necessities and emergency situations; and
- Financial literacy skills training.²⁹

²⁴ Section 39.621(3), F.S., provides that the permanency goals available under ch. 39, F.S., listed in order of preference, are reunification; adoption, if a petition for termination of parental rights has been or will be filed; permanent guardianship of a dependent child under s. 39.6221, F.S.; permanent placement with a fit and willing relative under s. 39.6231, F.S.; or placement in another planned permanent living arrangement under s. 39.6241, F.S.

²⁵ Section 39.6251(2), F.S.

²⁶ Section 39.6251(1), F.S., defines “young adult” as an individual who has attained 18 years of age but who has not attained 21 years of age.

²⁷ Section 39.6251(4)(a), F.S.

²⁸ Section 409.1451(3)(a), F.S. Additionally, subject to available funding, aftercare services are also available to a young adult who is between the ages of 18 and 22, is receiving financial assistance for postsecondary education, who is experiencing an emergency situation, and whose resources are insufficient to meet the emergency situation.

²⁹ Section 409.1451(3)(b), F.S.

Office of Continuing Care

In 2021, the Legislature established the Office of Continuing Care (OCC) within the DCF. The Legislature created the OCC to provide ongoing support and care coordination to youth and young adults who age out of the foster care system between 18 and 21 years of age, or 22 years of age with a documented disability.³⁰ The OCC has specified duties, including, but not limited to:

- Providing young adults who age out of the foster care system with certain information about the office, including its purpose, services offered and contact information;
- Providing assistance in accessing services and supports; and
- Collaborating with community-based care lead agencies to identify local resources and assist young adults in accessing such support services.³¹

The OCC is also part of Hope Florida – A Pathway to Prosperity, a program that assists Floridians to navigate the myriad systems and programs created to stabilize and help families in crisis.³² Hope Navigators guide, amongst others, foster youth on an individualized path to prosperity, economic self-sufficiency, and hope.³³

Fostering Success Program

In 2014, the Legislature appropriated \$75,000 to fund the Fostering Success Pilot Project for young adults who aged out of foster care to obtain internships/professional shadowing positions.³⁴ In 2016, the legislature funded an expansion of the pilot program with \$100,000 appropriated in recurring general revenue funds to a program known as “Fostering Success Youth Readiness Training and Placement Services” (Fostering Success).³⁵ The program was designed for young adults ages 18 to 24 to gain employment skills that would enable them to achieve economic self-sufficiency and professional success through a program that provided year-long, part-time, Other Personal Services (OPS) positions with a participating state agency.³⁶ Funding for Fostering Success ceased in Fiscal Year 2020-2021.³⁷

III. Effect of Proposed Changes:

The bill creates s. 409.1455, F.S., cited as the “Step into Success Act,” establishing the Step into Success Workforce Education and Internship Program (program) as a three-year pilot administered by the DCF’s Office of Continuing Care. The program must consist of an independent living professionalism and workforce education component and, for youth that complete that component, an onsite workforce training internship component that uses

³⁰ Chapter 2021-169, s. 20, L.O.F., codified as s. 414.56, F.S.

³¹ *Id.*

³² The DCF, *Hope Florida – A Pathway to Prosperity*, available at <https://www.myflfamilies.com/services/hope-florida> (last visited March 7, 2023).

³³ *Id.*

³⁴ Chapter 2014-51, Specific Appropriation 1393, L.O.F.

³⁵ Chapter 2016-66, Specific Appropriation 1351, L.O.F.

³⁶ Florida Fish and Wildlife Conservation Commission, *Fostering Success*, available at <https://myfwc.com/get-involved/internships/fostering-success/> (last visited March 11, 2023).

³⁷ Governor Ron DeSantis, *2020 Veto List*, p. 8 lines 1384 and 1388, available at <https://www.flgov.com/wp-content/uploads/2020/06/2020-Veto-List.pdf> (last visited March 7, 2023).

employees of participating organizations as mentors. The purpose of the program is to assist foster youth transitioning to adulthood to:

- Develop essential workforce and professional skills;
- Transition from the custody of the DCF to independent living; and
- Become best prepared for an independent and successful future.

For the purposes of the bill, the term “foster youth” is defined as an individual older than 16 but younger than 18 years of age who is currently in licensed care, excluding Level I licensed placements and the term “former foster youth” is defined as 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.

A “participating organization” is defined as a state agency; a corporation under ch. 607, F.S., or ch. 617, F.S.; or another relevant entity that has agreed to collaborate with the OCC in the development and implementation of a trauma-informed onsite workforce training internship program.

The DCF must establish and the OCC must develop and administer the program and begin operations on or before January 1, 2024. The program must be provided as part of an eligible foster youth’s regular transition planning or as a post-transition service for eligible former foster youth.

Independent Living Professionalism and Workforce Education Component

The OCC must meet the following requirements in development and implementation of the independent living professionalism and workforce education component:

- Designate and ensure that there is sufficient qualified staff to implement and maintain operation of the program, and provide required services to agency liaison personnel and eligible foster youth.
- Develop workshops, presentations, and curricula to educate youth on topics such as interview skills, professionalism, teamwork, leadership, problem solving, and conflict resolution in the workplace.³⁸
- Provide relevant written materials from the component and any relevant tools developed to ensure successful transition to internships to all participating organizations.
- Provide written materials to youth to ensure that they are aware of the requirements for participating in the program and contact information for the program office. Community-based care lead agencies must provide any of their subcontracted providers that directly serve youth with such material.
- Advertise and promote the availability of the program.
- Assess each eligible foster youth’s career interests and determine the most appropriate internship opportunities.

³⁸ This component must be provided in addition to any other life skills or employment training required by law and may be developed or administered by the DCF, community-based care lead agencies, or the lead agencies’ subcontracted providers or through collaboration with the approved agencies, colleges or universities, or non-profit organizations in the community that have workforce training resources.

Onsite Workforce Training Internship Component

The OCC must meet the following requirements in development and implementation of the onsite workforce training internship component:

- Develop processes and procedures to implement a trauma-informed onsite workforce training internship component, designed to be replicated and scaled to meet various organizational structures and sizes, that includes:
 - 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 the intern's work product, professionalism, time management, communication style, and stress management strategies;
 - Daily mentorship and coaching on professionalism, teamwork, leadership, problem solving, and conflict resolution;
 - Development of employment opportunities for interns; and
 - Reporting requirements.
- Develop a minimum of 1 hour of required trauma-informed training for mentors.
- Provide assistance to eligible youth interested in the internship component.
- Publicize internship positions in an easily accessible manner to inform eligible youth.
- Develop a process and schedule for the distribution of stipends to former foster youth participating in the component, subject to availability.
- Distribute funds appropriated for the compensation of mentors at \$1,200 per intern per fiscal year, to be issued as \$100 monthly payments for every month of service as a mentor. A mentor may only mentor a maximum of three interns at one time for a maximum of \$3,600 in compensation per fiscal year.
- By May 1, 2024, provide the Board of Governors and State Board of Education all relevant internship information necessary to support the award of postsecondary credit or career education clock hours.
- Develop and conduct follow-up surveys with former foster youth, mentors, and any other persons the OCC deems relevant for continued improvement of the internship component.

Requirements for Participating Organizations

The participating organizations must meet the following requirements in implementation of the onsite workforce training internship component:

- Collaborate with the OCC to implement a trauma-informed approach to mentoring former foster youth.
- Recruit employees that meet certain requirements to serve as mentors.
- Have discussions around the creation of corrective action plans, when necessary, and not discharging an intern until he or she is given a reasonable opportunity to comply with the corrective action plan.
- Provide relevant feedback and certain information for reporting purposes to the DCF.

The bill requires that mentors within participating organizations must:

- Have worked for the participating agency for a minimum of one year;
- Have experience relevant to the employment responsibilities of the intern;

- Sign a monthly hour statement for the intern;
- Allocate at least 1 hour per month for performance reviews; and
- Complete a minimum of 1 hour of trauma-informed training.

Requirements for Former Foster Youth Participating in the Internship Component

Former foster youth must complete the training component with the DCF before being eligible to apply for an open internship under the internship component and must have attained the age of 18 years before working as an intern.

If offered an internship, a former foster youth must be classified as an intern and work 80 hours per month to be eligible for the stipend payment. Any stipend specified for clothing must be spent on clothing that is in compliance with the dress code requirements of the participating organization and comply with the participating organizations' dress code and can be awarded separate from the monthly stipend related to the internship component.

If offered an internship, a former foster youth may hold the position for no more than one year. The participating organization may extend the internship beyond the one year or hire the foster youth as a full-time employee, but it may not be as an intern under the program. A foster youth may intern at more than one participating organization but not at the same time.

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

Any stipend money earned pursuant to the internship component may not be considered earned income for the purposes of computing eligibility for federal or state benefit programs. If there is a reduction or loss of benefits due to the receipt of the Step into Success stipend money, that reduction or loss 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.³⁹

Postsecondary Credits or Career Education Clock Hours

The Board of Governors and the State Board of Education is required to adopt regulations and rules, respectively, to award postsecondary credit or career education clock hours for eligible former foster youth participating in the internship component.

Additionally, a former foster youth may, at the discretion of the postsecondary institution within Florida 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 or

³⁹ Currently \$250 for a single person household in Florida. The DCF, *Food Assistance Program Fact Sheet*, p. 3, available at https://www.myflfamilies.com/sites/default/files/2022-10/fafactsheet_1.pdf (last visited March 10, 2023).

career education clock hours earned may be in addition to any financial payment for the same work performed under the internship component and may be awarded for completion of the whole or any part of the internship component. Participating organizations must cooperate with postsecondary educational institutions to provide any information that is necessary for the institution to determine whether to grant the former foster youth postsecondary credit or career education clock hours toward his or her degree.

Reporting Requirement

The bill requires the DCF to include a section on the Step into Success Program in the annual independent living report required by s. 409.1451(6), F.S. The report must include, but is not limited to:

- Whether the pilot program is in compliance with statute, and if not, barriers to compliance.
- A list of participating organizations and interns.
- A summary of recruitment efforts.
- A summary of feedback and surveys received from former foster youth, mentors, and others.
- Recommendations 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, employment location, job description, and salary information, if available.

The bill also amends s. 414.56, F.S., to add the development and administration of the Step into Success program as one of the enumerated duties of the OCC. The bill requires the DCF to adopt rules to implement the program.

The bill takes effect July 1, 2023.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill will have an indeterminate fiscal impact on state government. Under the bill, former foster youth are to receive an undefined stipend amount for participating in the internship component (line 192), an undefined stipend amount for clothing (line 296), and mentors are to receive \$1,200 per year per intern (line 235), all subject to available funding. However, the amount is indeterminate due to the inability to estimate how many youth the OCC will recruit to participate in the Pilot Program each year.

VI. Technical Deficiencies:

The bill contemplates a stipend to be paid to a former foster youth participating in the internship component but does not set that amount. The bill should be amended to set that payment amount.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 414.56 of the Florida Statutes.

This bill creates section 409.1455 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
