



Fighting for Children's Rights

“Quick & Dirty” Frequently Asked Questions about Changes to the Independent Living law.

Answers are subject to change as the rules implementing the statute are created.

1. Will the Independent Living laws definitely be changed?

Yes- the bill was signed into law on June 24th.

2. My caseworker told me that I have to stay in foster care, is that true?

No. When you turn 18, you are an adult and cannot be compelled to stay in foster care. Staying in care might make the most sense for you in your circumstance, but it will be your choice.

3. If I stay in care, do I have to stay in a foster home or group home that the CBC picks for me?

No. The Legislature intended for young adults to have the option of staying with their same foster parents or group home – *if they want to*. This law is not meant to force you to live somewhere you do not want to live. You may find another kind of “semi-supervised” living arrangement (which can include an apartment or dorm) and get your Community Based Care agency to agree to it.

4. Is there a difference between Extended Foster Care or Continued Care?

No – both terms are used for the same thing.

5. I am on Subsidized Independent Living, what will happen to me after SIL goes away in January.

You should be able to stay in your current location with the current payment set –up, so long as you meet the SIL eligibility. Section 12 of the law says that youth will have to switch to the new program – but will not have to move. This is not 100% settled in the law.

6. I was adopted after I turned 16, I am now 18 and still studying for my GED. Will I lose my Road to Independence Stipend?

So long as you maintain eligibility for RTI under the rules that existed when you got into it, you will not lose your RTI -- at least until the time of the next renewal. But, if

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you do not meet the requirements for staying on RTI, you will lose the benefit. You will probably also lose RTI if you are not done with high school or GED at the time of your next renewal. (This issue is not settled yet.) If you come off of RTI, you will not be able to get back on RTI until you are ready to attend a post-secondary school.

7. What is a “Post-Secondary” School for the Road to Independence Stipend?

Post-Secondary generally means after high school. The Independent Living law explicitly defines them to be institutions that are eligible to receive Bright Futures funding. This includes public and private colleges, universities, and vocational-technical schools. The list of eligible institutions is at:

https://www.floridastudentfinancialaidsg.org/admin/SAWELIGPSI_ByProg.asp?ByProg=BF

8. I heard the law says that “full time” is only 9 credit hours – how does that affect my college attendance.

The law permits students to continue receiving RTI as a full time student so long as they are taking at least 9 credit hours. This was meant to help students who were taking a full load but had to drop a class. This law only applies to RTI funding. It does not change the Pell Grant requirements or any attendance requirement that your school has.

9. I have the chance to go to college in another state, can I still get RTI?

No. RTI’s post-secondary cash stipend is not available for students who go to college outside of Florida. If you are eligible to remain in, or return to foster care, you can get continued assistance by returning to care. But, you should still have access to federal “ETV” funds (Education Training Vouchers) which can provide up to \$5,000 a year for former foster youth enrolled in post-secondary education. It’s not clear yet how those funds will be provided. Also, you will have access to Aftercare funds if you are not getting RTI or are in extended foster care.

10. I heard that RTI doesn’t cover summers, what happens then?

The law provides that RTI payments will be made during the months that you are enrolled in school. If you take the summer off, or are in a program that has a different semester off, during those months you are eligible for Aftercare funding.

11. What happens to people on the APD waiting list? If they go into extended foster care does that mean that they cannot use the “crisis tool” to get off the waiting list?

Young people with developmental disabilities have the right to chose to stay in care or not. If they chose not to stay in care, then they are in the same position as they currently are with regard to the crisis tool. If APD refuses to accept or apply the crisis tool for youth who do not elect to stay in care, please seek the assistance of an attorney. You can contact fcf@floridaschildrenfirst.org if you need help finding a lawyer for a young person.