

By Senator Wise

5-00044B-11

2011380__

1 A bill to be entitled
2 An act relating to the certification of child welfare
3 personnel; amending s. 402.40, F.S.; revising
4 legislative intent; defining the terms "child welfare
5 certification" and "professional credentialing
6 entity"; requiring persons who provide child welfare
7 services to be certified by a professional
8 credentialing entity approved by the Department of
9 Children and Family Services; providing requirements
10 for department approval; deleting requirements
11 relating to the establishment of a department training
12 program, including training academies; revising the
13 use of a department trust fund; deleting certain
14 rulemaking authority of the department; providing an
15 effective date.

16
17 Be It Enacted by the Legislature of the State of Florida:

18
19 Section 1. Section 402.40, Florida Statutes, is amended to
20 read:

21 402.40 Certification of child welfare personnel ~~training.~~-

22 (1) LEGISLATIVE INTENT. ~~In order to enable the state to~~
23 ~~provide a systematic approach to staff development and training~~
24 ~~for persons providing child welfare services that will meet the~~
25 ~~needs of such staff in their discharge of duties,~~ It is the
26 intent of the Legislature that each person providing child
27 welfare services in this state earns and maintains a
28 professional certification from a professional credentialing
29 entity that is approved by the Department of Children and Family

5-00044B-11

2011380__

30 Services ~~establish, maintain, and oversee the operation of child~~
31 ~~welfare training academies in the state. The Legislature further~~
32 ~~intends that the staff development and training programs that~~
33 ~~are established will aid in the reduction of poor staff morale~~
34 ~~and of staff turnover, will positively impact on the quality of~~
35 ~~decisions made regarding children and families who require~~
36 ~~assistance from programs providing child welfare services, and~~
37 ~~will afford better quality care of children who must be removed~~
38 ~~from their families.~~

39 (2) DEFINITIONS.—As used in this section, the term:

40 (a) "Child welfare certification" means a professional
41 credential awarded to persons who have demonstrated competency
42 and proficiency in a child welfare services practice area
43 through the achievement of education, professional experience,
44 and examination requirements that have been developed according
45 to nationally recognized certification and psychometric
46 standards.

47 (b)~~(a)~~ "Child welfare services" means any intake,
48 protective investigations, preprotective services, protective
49 services, foster care, shelter and group care, and adoption and
50 related services program, including supportive services,
51 supervision, and legal services, provided to children who are
52 alleged to have been abused, abandoned, or neglected, or who are
53 at risk of becoming, are alleged to be, or have been found
54 dependent pursuant to chapter 39.

55 (c)~~(b)~~ "Person providing child welfare services" means a
56 person who has a responsibility for supervisory, ~~legal,~~ direct
57 care, or support-related ~~support related~~ work in the provision
58 of child welfare services pursuant to chapters 39 and 409

5-00044B-11

2011380__

59 ~~chapter 39.~~

60 (d) "Professional credentialing entity" means a department-
61 approved nonprofit organization that is governed by a board of
62 directors composed of members who represent the population for
63 which it awards credentials.

64 (3) CHILD WELFARE CERTIFICATION.—Any person providing child
65 welfare services in this state must earn and maintain a child
66 welfare certification issued by a professional credentialing
67 entity.

68 (4) PROFESSIONAL CREDENTIALING ENTITIES.—The department
69 shall approve one or more professional credentialing entities
70 for the purpose of awarding child welfare certification to
71 persons who provide child welfare services. A professional
72 credentialing entity shall request such approval in writing from
73 the department. In order to obtain approval, the professional
74 credentialing entity must:

75 (a) Establish professional requirements and standards that
76 applicants must achieve in order to obtain a child welfare
77 certification and to maintain such certification;

78 (b) Develop and apply core competencies and examination
79 instruments according to nationally recognized certification and
80 psychometric standards;

81 (c) Maintain a professional code of ethics and a
82 disciplinary process that apply to all persons holding child
83 welfare certification;

84 (d) Maintain a database, accessible to the public, of all
85 persons holding child welfare certification, including any
86 history of ethical violations; and

87 (e) Require annual continuing education requirements for

5-00044B-11

2011380__

88 persons holding child welfare certification.

89 ~~(3) CHILD WELFARE TRAINING PROGRAM.~~ The department shall
90 establish a program for training pursuant to the provisions of
91 this section, and all persons providing child welfare services
92 shall be required to participate in and successfully complete
93 the program of training pertinent to their areas of
94 responsibility.

95 ~~(5)(4) CHILD WELFARE TRAINING TRUST FUND.~~

96 (a) There is created within the State Treasury a Child
97 Welfare Training Trust Fund to be used by the Department of
98 Children and Family Services for the purpose of funding the
99 professional development ~~a comprehensive system of child welfare~~
100 ~~training, including the securing of consultants to develop the~~
101 ~~system and the developing of child welfare training academies~~
102 ~~that include the participation of persons providing child~~
103 welfare services.

104 (b) One dollar from every noncriminal traffic infraction
105 collected pursuant to s. 318.14(10)(b) or s. 318.18 shall be
106 deposited into the Child Welfare Training Trust Fund.

107 ~~(c) In addition to the funds generated by paragraph (b),~~
108 The trust fund shall also receive funds generated from an
109 additional fee on birth certificates and dissolution of marriage
110 filings, as specified in ss. 382.0255 and 28.101, respectively,
111 and may receive funds from any other public or private source.

112 (d) Funds that are not expended by the end of the budget
113 cycle or through a supplemental budget approved by the
114 department shall revert to the trust fund.

115 ~~(5) CORE COMPETENCIES.~~

116 ~~(a) The Department of Children and Family Services shall~~

5-00044B-11

2011380__

117 ~~establish the core competencies for a single integrated~~
118 ~~curriculum that ensures that each person delivering child~~
119 ~~welfare services obtains the knowledge, skills, and abilities to~~
120 ~~competently carry out his or her work responsibilities. This~~
121 ~~curriculum may be a compilation of different development efforts~~
122 ~~based on specific subsets of core competencies that are~~
123 ~~integrated for a comprehensive curriculum required in the~~
124 ~~provision of child welfare services in this state.~~

125 ~~(b) The identification of these core competencies shall be~~
126 ~~a collaborative effort to include professionals with expertise~~
127 ~~in child welfare services and providers that will be affected by~~
128 ~~the curriculum, to include, but not be limited to,~~
129 ~~representatives from the community-based care lead agencies,~~
130 ~~sheriffs' offices conducting child protection investigations,~~
131 ~~and child welfare legal services providers.~~

132 ~~(c) Notwithstanding s. 287.057(3) and (21), the department~~
133 ~~shall competitively solicit and contract for the development,~~
134 ~~validation, and periodic evaluation of the training curricula~~
135 ~~for the established single integrated curriculum. No more than~~
136 ~~one training curriculum may be developed for each specific~~
137 ~~subset of the core competencies.~~

138 ~~(6) ADVANCED TRAINING. The Department of Children and~~
139 ~~Family Services shall annually examine the advanced training~~
140 ~~that is needed by persons who deliver child welfare services in~~
141 ~~the state. This examination shall address whether the current~~
142 ~~advanced training provided should be continued and shall include~~
143 ~~the development of plans for incorporating any revisions to the~~
144 ~~advanced training determined necessary. This examination shall~~
145 ~~be conducted in collaboration with professionals with expertise~~

5-00044B-11

2011380__

146 ~~in child welfare services and providers that will be affected by~~
147 ~~the curriculum, to include, but not be limited to,~~
148 ~~representatives from the community-based care lead agencies,~~
149 ~~sheriffs' offices conducting child protection investigations,~~
150 ~~and child welfare legal services providers.~~

151 ~~(7) CERTIFICATION AND TRAINER QUALIFICATIONS.—The~~
152 ~~department shall, in collaboration with the professionals and~~
153 ~~providers described in subsection (5), develop minimum standards~~
154 ~~for a certification process that ensures that participants have~~
155 ~~successfully attained the knowledge, skills, and abilities~~
156 ~~necessary to competently carry out their work responsibilities~~
157 ~~and shall develop minimum standards for trainer qualifications~~
158 ~~which must be required of training academies in the offering of~~
159 ~~the training curricula. Any person providing child welfare~~
160 ~~services shall be required to master the components of the~~
161 ~~curriculum that are particular to that person's work~~
162 ~~responsibilities.~~

163 ~~(8) ESTABLISHMENT OF TRAINING ACADEMIES.—The department~~
164 ~~shall establish child welfare training academies as part of a~~
165 ~~comprehensive system of child welfare training. In establishing~~
166 ~~a program of training, the department may contract for the~~
167 ~~operation of one or more training academies to perform one or~~
168 ~~more of the following: to offer one or more of the training~~
169 ~~curricula developed under subsection (5); to administer the~~
170 ~~certification process; to develop, validate, and periodically~~
171 ~~evaluate additional training curricula determined to be~~
172 ~~necessary, including advanced training that is specific to a~~
173 ~~region or contractor, or that meets a particular training need;~~
174 ~~or to offer the additional training curricula. The number,~~

5-00044B-11

2011380__

175 ~~location, and timeframe for establishment of training academies~~
176 ~~shall be approved by the Secretary of Children and Family~~
177 ~~Services who shall ensure that the goals for the core~~
178 ~~competencies and the single integrated curriculum, the~~
179 ~~certification process, the trainer qualifications, and the~~
180 ~~additional training needs are addressed. Notwithstanding s.~~
181 ~~287.057(3) and (21), the department shall competitively solicit~~
182 ~~all training academy contracts.~~

183 ~~(9) ADOPTION OF RULES. The Department of Children and~~
184 ~~Family Services shall adopt rules necessary to carry out the~~
185 ~~provisions of this section.~~

186 Section 2. This act shall take effect July 1, 2011.