

By Senator Crist

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1 A bill to be entitled
2 An act relating to juvenile justice; amending s.
3 394.492, F.S.; including children 9 years of age or
4 younger at the time of referral for a delinquent act
5 within the definition of those children who are
6 eligible to receive comprehensive mental health
7 services; amending s. 435.04, F.S., relating to level
8 2 screening standards; correcting a cross-reference;
9 amending s. 984.03, F.S.; expanding the meaning of the
10 term "child in need of services" to include a child 9
11 years of age or younger at the time of referral to the
12 Department of Juvenile Justice; amending s. 985.02,
13 F.S.; providing additional legislative findings and
14 intent; amending s. 985.03, F.S.; redefining the term
15 "child in need of services" to provide that a child is
16 eligible to receive comprehensive services if the
17 child is 9 years of age or younger at the time of
18 referral to the department; defining the term
19 "ordinary medical care in department facilities and
20 programs"; amending s. 985.125, F.S.; encouraging law
21 enforcement agencies, school districts, counties,
22 municipalities, and the Department of Juvenile Justice
23 to establish prearrest or postarrest diversion
24 programs for first-time misdemeanor offenders who are
25 9 years of age or younger; amending s. 985.441, F.S.;
26 providing that a court may commit a female child
27 adjudicated as delinquent to the department for
28 placement in a mother-infant program designed to serve
29 the needs of the juvenile mothers or expectant

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30 juvenile mothers who are committed as delinquents;
31 requiring the department to adopt rules to govern the
32 operation of the mother-infant program; amending s.
33 985.601, F.S.; requiring that the department adopt
34 rules to ensure the effective delivery of services to
35 children in the care and custody of the department;
36 requiring the department to coordinate its rule-
37 adoption process with the Department of Children and
38 Family Services and the Agency for Persons with
39 Disabilities; amending s. 985.644, F.S.; eliminating
40 the exemption from background screening previously
41 granted to a volunteer who assists on an intermittent
42 basis for less than 40 hours per month in programs
43 serving children if the volunteer was under direct and
44 constant supervision by persons who meet the screening
45 requirements; eliminating the Juvenile Justice
46 Standards and Training Commission; providing that the
47 department rather than the commission is responsible
48 for juvenile justice staff development and training;
49 detailing the minimum qualifications for juvenile
50 justice staff of the department and contract providers
51 who deliver direct-care services to children;
52 providing an effective date.

53
54 Be It Enacted by the Legislature of the State of Florida:

55
56 Section 1. Paragraph (i) is added to subsection (4) of
57 section 394.492, Florida Statutes, to read:

58 394.492 Definitions.—As used in ss. 394.490-394.497, the

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59 term:

60 (4) "Child or adolescent at risk of emotional disturbance"
61 means a person under 18 years of age who has an increased
62 likelihood of becoming emotionally disturbed because of risk
63 factors that include, but are not limited to:

64 (i) Being 9 years of age or younger at the time of referral
65 for a delinquent act.

66 Section 2. Paragraph (b) of subsection (4) of section
67 435.04, Florida Statutes, is amended to read:

68 435.04 Level 2 screening standards.—

69 (4) Standards must also ensure that the person:

70 (b) Has not committed an act that constitutes domestic
71 violence as defined in s. 741.28 ~~s. 741.30~~.

72 Section 3. Subsection (9) of section 984.03, Florida
73 Statutes, is amended to read:

74 984.03 Definitions.—When used in this chapter, the term:

75 (9) "Child in need of services" means a child for whom
76 there is no pending investigation into an allegation or
77 suspicion of abuse, neglect, or abandonment; no pending referral
78 alleging that the child is delinquent, except if the child is 9
79 years of age or younger at the time of referral to the
80 department; or no current supervision by the department ~~of~~
81 ~~Juvenile Justice~~ or the Department of Children and Family
82 Services for an adjudication of dependency or delinquency. The
83 child must also, pursuant to this chapter, be found by the
84 court:

85 (a) To have persistently run away from the child's parents
86 or legal custodians despite reasonable efforts of the child, the
87 parents or legal custodians, and appropriate agencies to remedy

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88 the conditions contributing to the behavior. Reasonable efforts
89 shall include voluntary participation by the child's parents or
90 legal custodians and the child in family mediation, services,
91 and treatment offered by the department ~~of Juvenile Justice~~ or
92 the Department of Children and Family Services;

93 (b) To be habitually truant from school, while subject to
94 compulsory school attendance, despite reasonable efforts to
95 remedy the situation pursuant to ss. 1003.26 and 1003.27 and
96 through voluntary participation by the child's parents or legal
97 custodians and by the child in family mediation, services, and
98 treatment offered by the department ~~of Juvenile Justice~~ or the
99 Department of Children and Family Services; ~~or~~

100 (c) To have persistently disobeyed the reasonable and
101 lawful demands of the child's parents or legal custodians, and
102 to be beyond their control despite efforts by the child's
103 parents or legal custodians and appropriate agencies to remedy
104 the conditions contributing to the behavior. Reasonable efforts
105 may include such things as good faith participation in family or
106 individual counseling; or-

107 (d) To be 9 years of age or younger and have been referred
108 to the department for committing a delinquent act.

109 Section 4. Subsection (9) is added to section 985.02,
110 Florida Statutes, to read:

111 985.02 Legislative intent for the juvenile justice system.-

112 (9) CHILDREN 9 YEARS OF AGE OR YOUNGER.-The Legislature
113 finds that very young children need age-appropriate services in
114 order to prevent and reduce future acts of delinquency. Children
115 who are 9 years of age or younger who have been determined by
116 the court to pose no danger to the community and are unlikely to

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117 recidivate, should be diverted into prearrest or postarrest
118 programs, civil citation programs, or children-in-need-of-
119 services and families-in-need-of-services programs, as
120 appropriate. If, following a needs assessment, the child is
121 found to be in need of mental health services or substance abuse
122 treatment services, the department shall cooperate with the
123 Department of Children and Family Services to provide the most
124 appropriate services for the child.

125 Section 5. Subsection (7) of section 985.03, Florida
126 Statutes, is amended, present subsections (39) through (57) are
127 redesignated as subsections (40) through (58), respectively, and
128 a new subsection (39) is added to that section, to read:

129 985.03 Definitions.—As used in this chapter, the term:

130 (7) "Child in need of services" means a child for whom
131 there is no pending investigation into an allegation or
132 suspicion of abuse, neglect, or abandonment; no pending referral
133 alleging that the child is delinquent, except if the child is 9
134 years of age or younger at the time of referral to the
135 department; or no current supervision by the department or the
136 Department of Children and Family Services for an adjudication
137 of dependency or delinquency. The child must also, under this
138 chapter, be found by the court:

139 (a) To have persistently run away from the child's parents
140 or legal custodians despite reasonable efforts of the child, the
141 parents or legal custodians, and appropriate agencies to remedy
142 the conditions contributing to the behavior. Reasonable efforts
143 shall include voluntary participation by the child's parents or
144 legal custodians and the child in family mediation, services,
145 and treatment offered by the department or the Department of

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146 Children and Family Services;

147 (b) To be habitually truant from school, while subject to
148 compulsory school attendance, despite reasonable efforts to
149 remedy the situation under ss. 1003.26 and 1003.27 and through
150 voluntary participation by the child's parents or legal
151 custodians and by the child in family mediation, services, and
152 treatment offered by the department ~~of Juvenile Justice~~ or the
153 Department of Children and Family Services; ~~or~~

154 (c) To have persistently disobeyed the reasonable and
155 lawful demands of the child's parents or legal custodians, and
156 to be beyond their control despite efforts by the child's
157 parents or legal custodians and appropriate agencies to remedy
158 the conditions contributing to the behavior. Reasonable efforts
159 may include such things as good faith participation in family or
160 individual counseling; or.

161 (d) To have been referred for a delinquent act at the age
162 of 9 years or younger.

163 (39) "Ordinary medical care in department facilities and
164 programs" means medical procedures that are administered or
165 performed on a routine basis and include, but are not limited
166 to, inoculations, physical examinations, remedial treatment for
167 minor illnesses and injuries, preventive services, medication
168 management, chronic disease detection and treatment, and other
169 medical procedures that are administered or performed on a
170 routine basis and that do not involve hospitalization, surgery,
171 or use of general anesthesia.

172 Section 6. Subsection (1) of section 985.125, Florida
173 Statutes, is amended to read:

174 985.125 Prearrest or postarrest diversion programs.—

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175 (1) A law enforcement agency, ~~or~~ school district, county,
176 municipality, or the department, in cooperation with the state
177 attorney, is encouraged to ~~may~~ establish a prearrest or
178 postarrest diversion programs for first-time misdemeanor
179 offenders and offenders who are 9 years of age or younger
180 program.

181 Section 7. Paragraph (e) is added to subsection (1) of
182 section 985.441, Florida Statutes, to read:

183 985.441 Commitment.—

184 (1) The court that has jurisdiction of an adjudicated
185 delinquent child may, by an order stating the facts upon which a
186 determination of a sanction and rehabilitative program was made
187 at the disposition hearing:

188 (e) Commit the child to the department for placement in a
189 mother-infant program designed to serve the needs of the
190 juvenile mothers or expectant juvenile mothers who are committed
191 as delinquents. The department's mother-infant program must be
192 licensed as a child care facility in accordance with s. 402.308,
193 and must provide the services and support necessary to enable
194 the committed juvenile mothers to provide for the needs of their
195 infants who, upon agreement of the mother, may accompany them in
196 the program. The department shall adopt rules to govern the
197 operation of such programs.

198 Section 8. Subsection (2) of section 985.601, Florida
199 Statutes, is amended to read:

200 985.601 Administering the juvenile justice continuum.—

201 (2) (a) The department shall develop and implement an
202 appropriate continuum of care that provides individualized,
203 multidisciplinary assessments, objective evaluations of relative

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204 risks, and the matching of needs with placements for all
205 children under its care, and that uses a system of case
206 management to facilitate each child being appropriately
207 assessed, provided with services, and placed in a program that
208 meets the child's needs.

209 (b) The department shall adopt rules to ensure the
210 effective delivery of services to children in the department's
211 care and custody. The rules must address the delivery of:

212 1. Ordinary medical care in department facilities and
213 programs;

214 2. Mental health services in department facilities and
215 programs;

216 3. Substance abuse treatment services in department
217 facilities and programs; and

218 4. Services to children with developmental disabilities in
219 department facilities and programs.

220
221 The department shall coordinate its rulemaking with the
222 Department of Children and Family Services and the Agency for
223 Persons with Disabilities to ensure that the rules adopted under
224 this section do not encroach upon the substantive jurisdiction
225 of those agencies. The department shall include the above-
226 mentioned entities in the rulemaking process, as appropriate.

227 Section 9. Section 985.644, Florida Statutes, is amended to
228 read:

229 985.644 Departmental contracting powers; personnel
230 standards and screening.—

231 (1) ~~The department of Juvenile Justice or the Department of~~
232 ~~Children and Family Services, as appropriate,~~ may contract with

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233 the Federal Government, other state departments and agencies,
234 county and municipal governments and agencies, public and
235 private agencies, and private individuals and corporations in
236 carrying out the purposes of, and the responsibilities
237 established in, this chapter.

238 (a) When the department ~~of Juvenile Justice or the~~
239 ~~Department of Children and Family Services~~ contracts with a
240 provider for any program for children, all personnel, including
241 owners, operators, employees, and volunteers, in the facility
242 must be of good moral character. Each contract entered into by
243 either department for services delivered on an appointment or
244 intermittent basis by a provider that does not have regular
245 custodial responsibility for children and each contract with a
246 school for before or aftercare services must ensure that the
247 owners, operators, and all personnel who have direct contact
248 with children are of good moral character. ~~A volunteer who~~
249 ~~assists on an intermittent basis for less than 40 hours per~~
250 ~~month need not be screened if the volunteer is under direct and~~
251 ~~constant supervision by persons who meet the screening~~
252 ~~requirements.~~

253 (b) The department ~~of Juvenile Justice and the Department~~
254 ~~of Children and Family Services~~ shall require employment
255 screening pursuant to chapter 435, using the level 2 standards
256 set forth in that chapter for personnel in programs for children
257 or youths.

258 (c) The department ~~of Juvenile Justice or the Department of~~
259 ~~Children and Family Services~~ may grant exemptions from
260 disqualification from working with children as provided in s.
261 435.07.

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262 (2) The department may contract with the Federal
263 Government, other state departments and agencies, county and
264 municipal governments and agencies, public and private agencies,
265 and private individuals and corporations in carrying out the
266 purposes and the responsibilities of the delinquency services
267 and programs of the department.

268 (3) The department shall adopt a rule pursuant to chapter
269 120 establishing a procedure to provide notice of policy changes
270 that affect contracted delinquency services and programs. A
271 policy is defined as an operational requirement that applies to
272 only the specified contracted delinquency service or program.
273 The procedure shall include:

274 (a) Public notice of policy development.

275 (b) Opportunity for public comment on the proposed policy.

276 (c) Assessment for fiscal impact upon the department and
277 providers.

278 (d) The department's response to comments received.

279 ~~(4) When the department contracts with a provider for any~~
280 ~~delinquency service or program, all personnel, including all~~
281 ~~owners, operators, employees, and volunteers in the facility or~~
282 ~~providing the service or program shall be of good moral~~
283 ~~character. A volunteer who assists on an intermittent basis for~~
284 ~~less than 40 hours per month is not required to be screened if~~
285 ~~the volunteer is under direct and constant supervision by~~
286 ~~persons who meet the screening requirements.~~

287 (4)-(5)(a) For any person employed by the department, or by
288 a provider under contract with the department, in delinquency
289 facilities, services, or programs, the department shall require:

290 1. A level 2 employment screening pursuant to chapter 435

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291 prior to employment.

292 2. A federal criminal records check by the Federal Bureau
293 of Investigation every 5 years following the date of the
294 person's employment.

295 (b) Except for law enforcement, correctional, and
296 correctional probation officers, to whom s. 943.13(5) applies,
297 the department shall electronically submit to the Department of
298 Law Enforcement:

299 1. Fingerprint information obtained during the employment
300 screening required by subparagraph (a)1.

301 2. ~~Beginning on December 15, 2005,~~ Fingerprint information
302 for all persons employed by the department, or by a provider
303 under contract with the department, in delinquency facilities,
304 services, or programs if such fingerprint information has not
305 previously been electronically submitted to the Department of
306 Law Enforcement under this paragraph.

307 (c) All fingerprint information electronically submitted to
308 the Department of Law Enforcement under paragraph (b) shall be
309 retained by the Department of Law Enforcement and entered into
310 the statewide automated fingerprint identification system
311 authorized by s. 943.05(2)(b). Thereafter, such fingerprint
312 information shall be available for all purposes and uses
313 authorized for arrest fingerprint information entered into the
314 statewide automated fingerprint identification system pursuant
315 to s. 943.051 until the fingerprint information is removed
316 pursuant to paragraph (e). The Department of Law Enforcement
317 shall search all arrest fingerprint information received
318 pursuant to s. 943.051 against the fingerprint information
319 entered into the statewide automated fingerprint system pursuant

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320 to this subsection. Any arrest records identified as a result of
321 the search shall be reported to the department in the manner and
322 timeframe established by the Department of Law Enforcement by
323 rule.

324 (d) The department shall pay an annual fee to the
325 Department of Law Enforcement for its costs resulting from the
326 fingerprint information retention services required by this
327 subsection. The amount of the annual fee and procedures for the
328 submission and retention of fingerprint information and for the
329 dissemination of search results shall be established by the
330 Department of Law Enforcement by a rule that is applicable to
331 the department individually pursuant to this subsection or that
332 is applicable to the department and other employing agencies
333 pursuant to rulemaking authority otherwise provided by law.

334 (e) The department shall notify the Department of Law
335 Enforcement when a person whose fingerprint information is
336 retained by the Department of Law Enforcement under this
337 subsection is no longer employed by the department, or by a
338 provider under contract with the department, in a delinquency
339 facility, service, or program. This notice shall be provided by
340 the department to the Department of Law Enforcement no later
341 than 6 months after the date of the change in the person's
342 employment status. Fingerprint information for persons
343 identified by the department in the notice shall be removed from
344 the statewide automated fingerprint system.

345 (5)~~(6)~~ The department may grant exemptions from
346 disqualification from working with children as provided in s.
347 435.07.

348 Section 10. Section 985.66, Florida Statutes, is amended to

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349 read:

350 985.66 Juvenile justice training academies; staff
351 development and training ~~Juvenile Justice Standards and Training~~
352 ~~Commission~~; Juvenile Justice Training Trust Fund.—

353 (1) LEGISLATIVE PURPOSE.—In order to enable the state to
354 provide a systematic approach to staff development and training
355 for judges, state attorneys, public defenders, law enforcement
356 officers, school district personnel, and juvenile justice
357 program staff that will meet the needs of such persons in their
358 discharge of duties while at the same time meeting the
359 requirements for the American Correction Association
360 accreditation by the Commission on Accreditation for
361 Corrections, it is the purpose of the Legislature to require the
362 department to establish, maintain, and oversee the operation of
363 juvenile justice training academies in the state. The purpose of
364 the Legislature in establishing staff development and training
365 programs is to foster better staff morale and reduce
366 mistreatment and aggressive and abusive behavior in delinquency
367 programs; to positively impact the recidivism of children in the
368 juvenile justice system; and to afford greater protection of the
369 public through an improved level of services delivered by a
370 professionally trained juvenile justice program staff to
371 children who are alleged to be or who have been found to be
372 delinquent.

373 (2) STAFF DEVELOPMENT AND TRAINING JUVENILE JUSTICE
374 STANDARDS AND TRAINING COMMISSION.—

375 ~~(a) There is created under the Department of Juvenile~~
376 ~~Justice the Juvenile Justice Standards and Training Commission,~~
377 ~~hereinafter referred to as the commission. The 17-member~~

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378 ~~commission shall consist of the Attorney General or designee,~~
379 ~~the Commissioner of Education or designee, a member of the~~
380 ~~juvenile court judiciary to be appointed by the Chief Justice of~~
381 ~~the Supreme Court, and 14 members to be appointed by the~~
382 ~~Secretary of Juvenile Justice as follows:~~

383 ~~1. Seven members shall be juvenile justice professionals: a~~
384 ~~superintendent or a direct care staff member from an~~
385 ~~institution; a director from a contracted community-based~~
386 ~~program; a superintendent and a direct care staff member from a~~
387 ~~regional detention center or facility; a juvenile probation~~
388 ~~officer supervisor and a juvenile probation officer; and a~~
389 ~~director of a day treatment or conditional release program. No~~
390 ~~fewer than three of these members shall be contract providers.~~

391 ~~2. Two members shall be representatives of local law~~
392 ~~enforcement agencies.~~

393 ~~3. One member shall be an educator from the state's~~
394 ~~university and community college program of criminology,~~
395 ~~criminal justice administration, social work, psychology,~~
396 ~~sociology, or other field of study pertinent to the training of~~
397 ~~juvenile justice program staff.~~

398 ~~4. One member shall be a member of the public.~~

399 ~~5. One member shall be a state attorney, or assistant state~~
400 ~~attorney, who has juvenile court experience.~~

401 ~~6. One member shall be a public defender, or assistant~~
402 ~~public defender, who has juvenile court experience.~~

403 ~~7. One member shall be a representative of the business~~
404 ~~community.~~

405
406 ~~All appointed members shall be appointed to serve terms of 2~~

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407 years.

408 ~~(b) The composition of the commission shall be broadly~~
409 ~~reflective of the public and shall include minorities and women.~~
410 ~~The term "minorities" as used in this paragraph means a member~~
411 ~~of a socially or economically disadvantaged group that includes~~
412 ~~blacks, Hispanics, and American Indians.~~

413 ~~(c) The Department of Juvenile Justice shall provide the~~
414 ~~commission with staff necessary to assist the commission in the~~
415 ~~performance of its duties.~~

416 ~~(d) The commission shall annually elect its chairperson and~~
417 ~~other officers. The commission shall hold at least four regular~~
418 ~~meetings each year at the call of the chairperson or upon the~~
419 ~~written request of three members of the commission. A majority~~
420 ~~of the members of the commission constitutes a quorum. Members~~
421 ~~of the commission shall serve without compensation but are~~
422 ~~entitled to be reimbursed for per diem and travel expenses as~~
423 ~~provided by s. 112.061 and these expenses shall be paid from the~~
424 ~~Juvenile Justice Training Trust Fund.~~

425 ~~(e) The department powers, duties, and functions of the~~
426 ~~commission shall be to:~~

427 ~~(a)1.~~ Designate the location of the training academies;
428 develop, implement, maintain, and update the curriculum to be
429 used in the training of delinquency ~~juvenile justice~~ program
430 staff; establish timeframes for participation in and completion
431 of training by delinquency ~~juvenile justice~~ program staff;
432 develop, implement, maintain, and update job-related
433 examinations; develop, implement, and update the types and
434 frequencies of evaluations of the training academies; approve,
435 modify, or disapprove the budget for the training academies, and

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436 the contractor to be selected to organize and operate the
437 training academies and to provide the training curriculum.

438 (b)2. Establish uniform minimum job-related training
439 courses and examinations for delinquency ~~juvenile justice~~
440 program staff.

441 (c)3. Consult and cooperate with the state or any political
442 subdivision; any private entity or contractor; and with private
443 and public universities, colleges, community colleges, and other
444 educational institutions concerning the development of juvenile
445 justice training and programs or courses of instruction,
446 including, but not limited to, education and training in the
447 areas of juvenile justice.

448 (d)4. Enter into ~~With the approval of the department, make~~
449 ~~and enter into such~~ contracts and agreements with other
450 agencies, organizations, associations, corporations,
451 individuals, or federal agencies as ~~the commission determines~~
452 are necessary in the execution of the its powers of the
453 department or the performance of its duties.

454 ~~5. Make recommendations to the Department of Juvenile~~
455 ~~Justice concerning any matter within the purview of this~~
456 ~~section.~~

457 (3) JUVENILE JUSTICE TRAINING PROGRAM.—The department
458 ~~commission~~ shall establish a certifiable program for juvenile
459 justice training pursuant to this section, and all delinquency
460 ~~department~~ program staff and ~~providers~~ who deliver direct care
461 services ~~pursuant to contract with the department~~ shall be
462 required to participate in and successfully complete the
463 department-approved ~~commission-approved~~ program of training
464 pertinent to their areas of responsibility. Judges, state

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465 attorneys, and public defenders, law enforcement officers, and
466 school district personnel may participate in such training
467 program. For the delinquency juvenile justice program staff, the
468 department ~~commission~~ shall, based on a job-task analysis:

469 (a) Design, implement, maintain, evaluate, and revise a
470 basic training program, including a competency-based
471 examination, for the purpose of providing minimum employment
472 training qualifications for all juvenile justice personnel. All
473 program staff of the department and providers who deliver
474 direct-care services who are hired after October 1, 1999, must
475 meet the following minimum requirements:

476 1. Be at least 19 years of age.

477 2. Be a high school graduate or its equivalent as
478 determined by the department ~~commission~~.

479 3. Not have been convicted of any felony or a misdemeanor
480 involving perjury or a false statement, or have received a
481 dishonorable discharge from any of the Armed Forces of the
482 United States. Any person who, after September 30, 1999, pleads
483 guilty or nolo contendere to or is found guilty of any felony or
484 a misdemeanor involving perjury or false statement is not
485 eligible for employment, notwithstanding suspension of sentence
486 or withholding of adjudication. Notwithstanding this
487 subparagraph, any person who pled nolo contendere to a
488 misdemeanor involving a false statement before October 1, 1999,
489 and who has had such record of that plea sealed or expunged is
490 not ineligible for employment for that reason.

491 4. Abide by all the provisions of s. 985.644(1) regarding
492 fingerprinting and background investigations and other screening
493 requirements for personnel.

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494 5. Execute and submit to the department an affidavit-of-
495 application form, adopted by the department, attesting to his or
496 her compliance with subparagraphs 1.-4. The affidavit must be
497 executed under oath and constitutes an official statement under
498 s. 837.06. The affidavit must include conspicuous language that
499 the intentional false execution of the affidavit constitutes a
500 misdemeanor of the second degree. The employing agency shall
501 retain the affidavit.

502 (b) Design, implement, maintain, evaluate, and revise an
503 advanced training program, including a competency-based
504 examination for each training course, which is intended to
505 enhance knowledge, skills, and abilities related to job
506 performance.

507 (c) Design, implement, maintain, evaluate, and revise a
508 career development training program, including a competency-
509 based examination for each training course. Career development
510 courses are intended to prepare personnel for promotion.

511 (d) The department ~~commission~~ is encouraged to design,
512 implement, maintain, evaluate, and revise juvenile justice
513 training courses, or to enter into contracts for such training
514 courses, that are intended to provide for the safety and well-
515 being of both citizens and juvenile offenders.

516 (4) JUVENILE JUSTICE TRAINING TRUST FUND.—

517 (a) There is created within the State Treasury a Juvenile
518 Justice Training Trust Fund to be used by the Department of
519 Juvenile Justice for the purpose of funding the development and
520 updating of a job-task analysis of delinquency program staff
521 ~~juvenile justice personnel~~; the development, implementation, and
522 updating of job-related training courses and examinations; and

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523 the cost of ~~commission-approved~~ juvenile justice training
524 courses; ~~and reimbursement for expenses as provided in s.~~
525 ~~112.061 for members of the commission and staff.~~

526 (b) One dollar from every noncriminal traffic infraction
527 collected pursuant to ss. 318.14(10) (b) and 318.18 shall be
528 deposited into the Juvenile Justice Training Trust Fund.

529 (c) In addition to the funds generated by paragraph (b),
530 the trust fund may receive funds from any other public or
531 private source.

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

535 (5) ESTABLISHMENT OF JUVENILE JUSTICE TRAINING ACADEMIES.—
536 The number, location, and establishment of juvenile justice
537 training academies shall be determined by the department
538 ~~commission~~.

539 (6) SCHOLARSHIPS AND STIPENDS.—

540 (a) By rule, the department ~~commission~~ shall establish
541 criteria to award scholarships or stipends to qualified
542 delinquency program staff ~~juvenile justice personnel~~ who are
543 residents of the state who want to pursue a bachelor's or
544 associate in arts degree in juvenile justice or a related field.
545 The department shall handle the administration of the
546 scholarship or stipend. The Department of Education shall handle
547 the notes issued for the payment of the scholarships or
548 stipends. All scholarship and stipend awards shall be paid from
549 the Juvenile Justice Training Trust Fund upon vouchers approved
550 by the Department of Education and properly certified by the
551 Chief Financial Officer. Prior to the award of a scholarship or

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552 stipend, the delinquency program staff ~~juvenile justice employee~~
553 must agree in writing to practice her or his profession in
554 juvenile justice or a related field for 1 month for each month
555 of grant or to repay the full amount of the scholarship or
556 stipend together with interest at the rate of 5 percent per
557 annum over a period not to exceed 10 years. Repayment shall be
558 made payable to the state for deposit into the Juvenile Justice
559 Training Trust Fund.

560 (b) The department ~~commission~~ may establish the scholarship
561 program by rule ~~and implement the program on or after July 1,~~
562 ~~1996.~~

563 (7) ADOPTION OF RULES.—The department ~~commission~~ shall
564 adopt rules as necessary to administer ~~carry out the provisions~~
565 ~~of~~ this section.

566 (8) PARTICIPATION OF CERTAIN PROGRAMS IN THE STATE RISK
567 MANAGEMENT TRUST FUND.—Pursuant to s. 284.30, the Division of
568 Risk Management of the Department of Financial Services is
569 authorized to insure a private agency, individual, or
570 corporation operating a state-owned training school under a
571 contract to carry out the purposes and responsibilities of any
572 program of the department. The coverage authorized herein shall
573 be under the same general terms and conditions as the department
574 is insured for its responsibilities under chapter 284.

575 (9) DELINQUENCY PROGRAM STAFF DEFINED.—As used in this
576 section, the term "delinquency program staff" means supervisory
577 and direct care staff of a delinquency program as well as
578 support staff who have direct contact with children in a
579 delinquency program that is owned and operated by the
580 department. ~~The Juvenile Justice Standards and Training~~

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581 ~~Commission is terminated on June 30, 2001, and such termination~~
582 ~~shall be reviewed by the Legislature prior to that date.~~

583 Section 11. This act shall take effect July 1, 2009.