

By the Committee on Children, Families, and Elder Affairs; and
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, upon findings from the needs assessment, the
121 child is found to be in need of mental health services or
122 substance abuse treatment services, the department shall
123 cooperate with the parent or legal guardian and the Department
124 of Children and Family Services, as appropriate, to identify the
125 most appropriate services and supports and available funding
126 sources to meet the needs of the child.

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

131 985.03 Definitions.—As used in this chapter, the term:

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

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

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146 legal custodians and the child in family mediation, services,
147 and treatment offered by the department or the Department of
148 Children and Family Services;

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

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

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

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

174 Section 6. Subsection (1) of section 985.125, Florida

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175 Statutes, is amended to read:

176 985.125 Prearrest or postarrest diversion programs.—

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

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

185 985.441 Commitment.—

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

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

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

202 985.601 Administering the juvenile justice continuum.—

203 (2) (a) The department shall develop and implement an

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204 appropriate continuum of care that provides individualized,
205 multidisciplinary assessments, objective evaluations of relative
206 risks, and the matching of needs with placements for all
207 children under its care, and that uses a system of case
208 management to facilitate each child being appropriately
209 assessed, provided with services, and placed in a program that
210 meets the child's needs.

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

214 1. Ordinary medical care in department facilities and
215 programs;

216 2. Mental health services in department facilities and
217 programs;

218 3. Substance abuse treatment services in department
219 facilities and programs; and

220 4. Services to children with developmental disabilities in
221 department facilities and programs.

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

229 Section 9. Section 985.644, Florida Statutes, is amended to
230 read:

231 985.644 Departmental contracting powers; personnel
232 standards and screening.-

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233 (1) ~~The department of Juvenile Justice or the Department of~~
234 ~~Children and Family Services, as appropriate,~~ may contract with
235 the Federal Government, other state departments and agencies,
236 county and municipal governments and agencies, public and
237 private agencies, and private individuals and corporations in
238 carrying out the purposes of, and the responsibilities
239 established in, this chapter.

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

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

260 (c) The department ~~of Juvenile Justice or the Department of~~
261 ~~Children and Family Services~~ may grant exemptions from

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262 disqualification from working with children as provided in s.
263 435.07.

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

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

276 (a) Public notice of policy development.

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

278 (c) Assessment for fiscal impact upon the department and
279 providers.

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

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

289 (4) ~~(5)~~ (a) For any person employed by the department, or by
290 a provider under contract with the department, in delinquency

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291 facilities, services, or programs, the department shall require:

292 1. A level 2 employment screening pursuant to chapter 435
293 prior to employment.

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

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

301 1. Fingerprint information obtained during the employment
302 screening required by subparagraph (a)1.

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

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

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320 pursuant to s. 943.051 against the fingerprint information
321 entered into the statewide automated fingerprint system pursuant
322 to this subsection. Any arrest records identified as a result of
323 the search shall be reported to the department in the manner and
324 timeframe established by the Department of Law Enforcement by
325 rule.

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

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

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

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349 435.07.

350 Section 10. Section 985.66, Florida Statutes, is amended to
351 read:

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

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

375 (2) STAFF DEVELOPMENT AND TRAINING ~~JUVENILE JUSTICE~~
376 ~~STANDARDS AND TRAINING COMMISSION~~.—

377 ~~(a) There is created under the Department of Juvenile~~

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378 ~~Justice the Juvenile Justice Standards and Training Commission,~~
379 ~~hereinafter referred to as the commission. The 17-member~~
380 ~~commission shall consist of the Attorney General or designee,~~
381 ~~the Commissioner of Education or designee, a member of the~~
382 ~~juvenile court judiciary to be appointed by the Chief Justice of~~
383 ~~the Supreme Court, and 14 members to be appointed by the~~
384 ~~Secretary of Juvenile Justice as follows:~~

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

393 ~~2. Two members shall be representatives of local law~~
394 ~~enforcement agencies.~~

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

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

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

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

405 ~~7. One member shall be a representative of the business~~
406 ~~community.~~

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408 ~~All appointed members shall be appointed to serve terms of 2~~
409 ~~years.~~

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

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

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

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

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

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436 frequencies of evaluations of the training academies; approve,
437 modify, or disapprove the budget for the training academies, and
438 the contractor to be selected to organize and operate the
439 training academies and to provide the training curriculum.

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

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

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

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

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

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465 department-approved ~~commission-approved~~ program of training
466 pertinent to their areas of responsibility. Judges, state
467 attorneys, and public defenders, law enforcement officers, and
468 school district personnel may participate in such training
469 program. For the delinquency juvenile justice program staff, the
470 department ~~commission~~ shall, based on a job-task analysis:

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

478 1. Be at least 19 years of age.

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

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

493 4. Abide by all the provisions of s. 985.644(1) regarding

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494 fingerprinting and background investigations and other screening
495 requirements for personnel.

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

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

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

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

518 (4) JUVENILE JUSTICE TRAINING TRUST FUND.—

519 (a) There is created within the State Treasury a Juvenile
520 Justice Training Trust Fund to be used by the Department of
521 Juvenile Justice for the purpose of funding the development and
522 updating of a job-task analysis of delinquency program staff

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523 ~~juvenile justice personnel~~; the development, implementation, and
524 updating of job-related training courses and examinations; and
525 the cost of ~~commission-approved~~ juvenile justice training
526 courses; ~~and reimbursement for expenses as provided in s.~~
527 ~~112.061 for members of the commission and staff.~~

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

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

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

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

541 (6) SCHOLARSHIPS AND STIPENDS.—

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

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

562 (b) The department ~~commission~~ may establish the scholarship
563 program by rule ~~and implement the program on or after July 1,~~
564 ~~1996.~~

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

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

577 (9) DELINQUENCY PROGRAM STAFF DEFINED.—As used in this
578 section, the term "delinquency program staff" means supervisory
579 and direct care staff of a delinquency program as well as
580 support staff who have direct contact with children in a

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581 delinquency program that is owned and operated by the
582 department. ~~The Juvenile Justice Standards and Training~~
583 ~~Commission is terminated on June 30, 2001, and such termination~~
584 ~~shall be reviewed by the Legislature prior to that date.~~

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