

By Senator Baker

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1 A bill to be entitled
2 An act relating to the Juvenile Justice Standards and
3 Training Commission; amending s. 985.66, F.S.;
4 eliminating the Juvenile Justice Standards and
5 Training Commission; providing that the Department of
6 Juvenile Justice rather than the commission is
7 responsible for staff development and training;
8 amending s. 985.48, F.S.; conforming a provision to
9 the termination of the Juvenile Justice Standards and
10 Training Commission; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 985.66, Florida Statutes, is amended to
15 read:

16 985.66 Juvenile justice training academies; staff
17 development and training ~~Juvenile Justice Standards and Training~~
18 ~~Commission~~; Juvenile Justice Training Trust Fund.—

19 (1) LEGISLATIVE PURPOSE.—In order to enable the state to
20 provide a systematic approach to staff development and training
21 for judges, state attorneys, public defenders, law enforcement
22 officers, school district personnel, and juvenile justice
23 program staff that will meet the needs of such persons in their
24 discharge of duties while at the same time meeting the
25 requirements for the American Correction Association
26 accreditation by the Commission on Accreditation for
27 Corrections, it is the purpose of the Legislature to require the
28 department to establish, maintain, and oversee the operation of
29 juvenile justice training academies in the state. The purpose of

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30 the Legislature in establishing staff development and training
31 programs is to foster better staff morale and reduce
32 mistreatment and aggressive and abusive behavior in delinquency
33 programs; to positively impact the recidivism of children in the
34 juvenile justice system; and to afford greater protection of the
35 public through an improved level of services delivered by a
36 professionally trained juvenile justice program staff to
37 children who are alleged to be or who have been found to be
38 delinquent.

39 (2) STAFF DEVELOPMENT AND TRAINING JUVENILE JUSTICE
40 STANDARDS AND TRAINING COMMISSION.—

41 ~~(a) There is created under the Department of Juvenile~~
42 ~~Justice the Juvenile Justice Standards and Training Commission,~~
43 ~~hereinafter referred to as the commission. The 17-member~~
44 ~~commission shall consist of the Attorney General or designee,~~
45 ~~the Commissioner of Education or designee, a member of the~~
46 ~~juvenile court judiciary to be appointed by the Chief Justice of~~
47 ~~the Supreme Court, and 14 members to be appointed by the~~
48 ~~Secretary of Juvenile Justice as follows:~~

49 ~~1. Seven members shall be juvenile justice professionals: a~~
50 ~~superintendent or a direct care staff member from an~~
51 ~~institution; a director from a contracted community-based~~
52 ~~program; a superintendent and a direct care staff member from a~~
53 ~~regional detention center or facility; a juvenile probation~~
54 ~~officer supervisor and a juvenile probation officer; and a~~
55 ~~director of a day treatment or conditional release program. No~~
56 ~~fewer than three of these members shall be contract providers.~~

57 ~~2. Two members shall be representatives of local law~~
58 ~~enforcement agencies.~~

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59 ~~3. One member shall be an educator from the state's~~
60 ~~university and community college program of criminology,~~
61 ~~criminal justice administration, social work, psychology,~~
62 ~~sociology, or other field of study pertinent to the training of~~
63 ~~juvenile justice program staff.~~

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

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

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

69 ~~7. One member shall be a representative of the business~~
70 ~~community.~~

71
72 ~~All appointed members shall be appointed to serve terms of 2~~
73 ~~years.~~

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

79 ~~(c) The Department of Juvenile Justice shall provide the~~
80 ~~commission with staff necessary to assist the commission in the~~
81 ~~performance of its duties.~~

82 ~~(d) The commission shall annually elect its chairperson and~~
83 ~~other officers. The commission shall hold at least four regular~~
84 ~~meetings each year at the call of the chairperson or upon the~~
85 ~~written request of three members of the commission. A majority~~
86 ~~of the members of the commission constitutes a quorum. Members~~
87 ~~of the commission shall serve without compensation but are~~

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88 ~~entitled to be reimbursed for per diem and travel expenses as~~
89 ~~provided by s. 112.061 and these expenses shall be paid from the~~
90 ~~Juvenile Justice Training Trust Fund.~~

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

93 ~~(a)1.~~ Designate the location of the training academies;
94 develop, implement, maintain, and update the curriculum to be
95 used in the training of juvenile justice program staff;
96 establish timeframes for participation in and completion of
97 training by juvenile justice program staff; develop, implement,
98 maintain, and update job-related examinations; develop,
99 implement, and update the types and frequencies of evaluations
100 of the training academies; approve, modify, or disapprove the
101 budget for the training academies, and the contractor to be
102 selected to organize and operate the training academies and to
103 provide the training curriculum.

104 ~~(b)2.~~ Establish uniform minimum job-related training
105 courses and examinations for juvenile justice program staff.

106 ~~(c)3.~~ Consult and cooperate with the state or any political
107 subdivision; any private entity or contractor; and with private
108 and public universities, colleges, community colleges, and other
109 educational institutions concerning the development of juvenile
110 justice training and programs or courses of instruction,
111 including, but not limited to, education and training in the
112 areas of juvenile justice.

113 ~~(d)4. Enter into With the approval of the department, make~~
114 ~~and enter into such~~ contracts and agreements with other
115 agencies, organizations, associations, corporations,
116 individuals, or federal agencies as ~~the commission determines~~

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117 are necessary in the execution of the its powers of the
118 department or the performance of its duties.

119 ~~5. Make recommendations to the Department of Juvenile~~
120 ~~Justice concerning any matter within the purview of this~~
121 ~~section.~~

122 (3) JUVENILE JUSTICE TRAINING PROGRAM.—The department
123 ~~commission~~ shall establish a certifiable program for juvenile
124 justice training pursuant to this section, and all department
125 program staff and providers who deliver direct care services
126 pursuant to contract with the department shall be required to
127 participate in and successfully complete the department-approved
128 ~~commission-approved~~ program of training pertinent to their areas
129 of responsibility. Judges, state attorneys, and public
130 defenders, law enforcement officers, and school district
131 personnel may participate in such training program. For the
132 juvenile justice program staff, the department ~~commission~~ shall,
133 based on a job-task analysis:

134 (a) Design, implement, maintain, evaluate, and revise a
135 basic training program, including a competency-based
136 examination, for the purpose of providing minimum employment
137 training qualifications for all juvenile justice personnel. All
138 program staff of the department and providers who deliver
139 direct-care services who are hired after October 1, 1999, must
140 meet the following minimum requirements:

141 1. Be at least 19 years of age.

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

144 3. Not have been convicted of any felony or a misdemeanor
145 involving perjury or a false statement, or have received a

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146 dishonorable discharge from any of the Armed Forces of the
147 United States. Any person who, after September 30, 1999, pleads
148 guilty or nolo contendere to or is found guilty of any felony or
149 a misdemeanor involving perjury or false statement is not
150 eligible for employment, notwithstanding suspension of sentence
151 or withholding of adjudication. Notwithstanding this
152 subparagraph, any person who pled nolo contendere to a
153 misdemeanor involving a false statement before October 1, 1999,
154 and who has had such record of that plea sealed or expunged is
155 not ineligible for employment for that reason.

156 4. Abide by all the provisions of s. 985.644(1) regarding
157 fingerprinting and background investigations and other screening
158 requirements for personnel.

159 5. Execute and submit to the department an affidavit-of-
160 application form, adopted by the department, attesting to his or
161 her compliance with subparagraphs 1.-4. The affidavit must be
162 executed under oath and constitutes an official statement under
163 s. 837.06. The affidavit must include conspicuous language that
164 the intentional false execution of the affidavit constitutes a
165 misdemeanor of the second degree. The employing agency shall
166 retain the affidavit.

167 (b) Design, implement, maintain, evaluate, and revise an
168 advanced training program, including a competency-based
169 examination for each training course, which is intended to
170 enhance knowledge, skills, and abilities related to job
171 performance.

172 (c) Design, implement, maintain, evaluate, and revise a
173 career development training program, including a competency-
174 based examination for each training course. Career development

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175 courses are intended to prepare personnel for promotion.

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

181 (4) JUVENILE JUSTICE TRAINING TRUST FUND.—

182 (a) There is created within the State Treasury a Juvenile
183 Justice Training Trust Fund to be used by the department ~~of~~
184 ~~Juvenile Justice~~ for the purpose of funding the development and
185 updating of a job-task analysis of juvenile justice personnel;
186 the development, implementation, and updating of job-related
187 training courses and examinations; and the cost of ~~commission-~~
188 ~~approved~~ juvenile justice training courses; ~~and reimbursement~~
189 ~~for expenses as provided in s. 112.061 for members of the~~
190 ~~commission and staff.~~

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

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

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

200 (5) ESTABLISHMENT OF JUVENILE JUSTICE TRAINING ACADEMIES.—
201 The number, location, and establishment of juvenile justice
202 training academies shall be determined by the department
203 ~~commission~~.

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204 (6) SCHOLARSHIPS AND STIPENDS.—

205 (a) By rule, the department ~~commission~~ shall establish
206 criteria to award scholarships or stipends to qualified juvenile
207 justice personnel who are residents of the state who want to
208 pursue a bachelor's or associate in arts degree in juvenile
209 justice or a related field. The department shall handle the
210 administration of the scholarship or stipend. The Department of
211 Education shall handle the notes issued for the payment of the
212 scholarships or stipends. All scholarship and stipend awards
213 shall be paid from the Juvenile Justice Training Trust Fund upon
214 vouchers approved by the Department of Education and properly
215 certified by the Chief Financial Officer. Prior to the award of
216 a scholarship or stipend, the juvenile justice employee must
217 agree in writing to practice her or his profession in juvenile
218 justice or a related field for 1 month for each month of grant
219 or to repay the full amount of the scholarship or stipend
220 together with interest at the rate of 5 percent per annum over a
221 period not to exceed 10 years. Repayment shall be made payable
222 to the state for deposit into the Juvenile Justice Training
223 Trust Fund.

224 (b) The department ~~commission~~ may establish the scholarship
225 program by rule ~~and implement the program on or after July 1,~~
226 ~~1996.~~

227 (7) ADOPTION OF RULES.—The department ~~commission~~ shall
228 adopt rules as necessary to carry out the provisions of this
229 section.

230 (8) PARTICIPATION OF CERTAIN PROGRAMS IN THE STATE RISK
231 MANAGEMENT TRUST FUND.—Pursuant to s. 284.30, the Division of
232 Risk Management of the Department of Financial Services is

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233 authorized to insure a private agency, individual, or
234 corporation operating a state-owned training school under a
235 contract to carry out the purposes and responsibilities of any
236 program of the department. The coverage authorized herein shall
237 be under the same general terms and conditions as the department
238 is insured for its responsibilities under chapter 284.

239 ~~(9) The Juvenile Justice Standards and Training Commission~~
240 ~~is terminated on June 30, 2001, and such termination shall be~~
241 ~~reviewed by the Legislature prior to that date.~~

242 Section 2. Subsections (9) through (14) of section 985.48,
243 Florida Statutes, are renumbered as subsections (8) through
244 (13), respectively, and present subsection (8) of that section
245 is amended to read:

246 985.48 Juvenile sexual offender commitment programs; sexual
247 abuse intervention networks.-

248 ~~(8) The Juvenile Justice Standards and Training Commission~~
249 ~~shall establish criteria for training all contract and~~
250 ~~department staff or provide a special training program for~~
251 ~~contract and department staff to effectively manage and provide~~
252 ~~services and treatment to a juvenile sexual offender in a~~
253 ~~juvenile sexual offender program.~~

254 Section 3. This act shall take effect July 1, 2010.