

By Senator Wise

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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

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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

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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

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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~~

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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~~

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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,~~

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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.