

By the Committee on Children, Families, and Elder Affairs; and
Senator Wise

586-01853-11

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1 A bill to be entitled
2 An act relating to the training and certification of
3 child welfare personnel; amending s. 402.40, F.S.;
4 revising legislative intent; defining the terms "child
5 welfare certification," "core competency," "preservice
6 curriculum," and "third-party credentialing entity";
7 providing required criteria for the approval of
8 credentialing entities that develop and administer
9 certification programs for persons who provide child
10 welfare services; revising the use of the Child
11 Welfare Training Trust Fund within the Department of
12 Children and Family Services; revising provisions
13 relating to preservice curricula; requiring persons
14 who provide child welfare services to be certified by
15 a third-party credentialing entity; allowing entities
16 to add to or augment preservice curriculum; allowing
17 entities to contract for training; requiring persons
18 to master core competencies; providing for recognition
19 for currently certified persons; deleting requirements
20 relating to certification and trainer qualifications;
21 deleting provisions relating to training academies;
22 amending s. 402.731, F.S.; authorizing approval of
23 third-party credentialing entities; providing an
24 effective date.

25
26 Be It Enacted by the Legislature of the State of Florida:

27
28 Section 1. Section 402.40, Florida Statutes, is amended to
29 read:

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30 402.40 Child welfare training and certification.-

31 (1) LEGISLATIVE INTENT.-In order to enable the state to
32 provide a systematic approach to staff development and training
33 for persons providing child welfare services that will meet the
34 needs of such staff in their discharge of duties, it is the
35 intent of the Legislature that the Department of Children and
36 Family Services work in collaboration with the child welfare
37 stakeholder community, including department-approved third-party
38 credentialing entities, to ensure that staff have the knowledge,
39 skills, and abilities necessary to competently provide child
40 welfare services ~~establish, maintain, and oversee the operation~~
41 ~~of child welfare training academies in the state. It is the~~
42 intent of the Legislature that each person providing child
43 welfare services in this state earns and maintains a
44 professional certification from a professional credentialing
45 entity that is approved by the Department of Children and Family
46 Services. The Legislature further intends that certification and
47 ~~the staff development and training programs that are established~~
48 will aid in the reduction of poor staff morale and of staff
49 turnover, will positively impact on the quality of decisions
50 made regarding children and families who require assistance from
51 programs providing child welfare services, and will afford
52 better quality care of children who must be removed from their
53 families.

54 (2) DEFINITIONS.-As used in this section, the term:

55 (a) "Child welfare certification" means a professional
56 credential awarded by a department-approved third-party
57 credentialing entity to individuals demonstrating core
58 competency in any child welfare practice area.

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59 (b) ~~(a)~~ "Child welfare services" means any intake,
60 protective investigations, preprotective services, protective
61 services, foster care, shelter and group care, and adoption and
62 related services program, including supportive services and~~,~~
63 supervision, and legal services~~,~~ provided to children who are
64 alleged to have been abused, abandoned, or neglected, or who are
65 at risk of becoming, are alleged to be, or have been found
66 dependent pursuant to chapter 39.

67 (c) "Core competency" means the minimum knowledge, skills,
68 and abilities necessary to carry out work responsibilities.

69 (d) ~~(b)~~ "Person providing child welfare services" means a
70 person who has a responsibility for supervisory, ~~legal~~, direct
71 care, or support-related ~~support-related~~ work in the provision
72 of child welfare services pursuant to chapter 39.

73 (e) "Preservice curriculum" means the minimum statewide
74 training content based upon the core competencies that is to be
75 made available to all persons providing child welfare services.

76 (f) "Third-party credentialing entity" means a department-
77 approved nonprofit organization that has met nationally
78 recognized standards for developing and administering
79 professional certification programs.

80 (3) THIRD-PARTY CREDENTIALING ENTITIES.—The department
81 shall approve one or more third-party credentialing entities for
82 the purpose of developing and administering child welfare
83 certification programs for persons who provide child welfare
84 services. A third-party credentialing entity shall request such
85 approval in writing from the department. In order to obtain
86 approval, the third-party credentialing entity must:

87 (a) Establish professional requirements and standards that

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88 applicants must achieve in order to obtain a child welfare
89 certification and to maintain such certification;

90 (b) Develop and apply core competencies and examination
91 instruments according to nationally recognized certification and
92 psychometric standards;

93 (c) Maintain a professional code of ethics and a
94 disciplinary process that apply to all persons holding child
95 welfare certification;

96 (d) Maintain a database, accessible to the public, of all
97 persons holding child welfare certification, including any
98 history of ethical violations;

99 (e) Require annual continuing education for persons holding
100 child welfare certification; and

101 (f) Administer a continuing education provider program to
102 ensure that only qualified providers offer continuing education
103 opportunities for certificateholders.

104 ~~(3) CHILD WELFARE TRAINING PROGRAM. The department shall~~
105 ~~establish a program for training pursuant to the provisions of~~
106 ~~this section, and all persons providing child welfare services~~
107 ~~shall be required to participate in and successfully complete~~
108 ~~the program of training pertinent to their areas of~~
109 ~~responsibility.~~

110 (4) CHILD WELFARE TRAINING TRUST FUND.—

111 (a) There is created within the State Treasury a Child
112 Welfare Training Trust Fund to be used by the Department of
113 Children and Family Services for the purpose of funding the
114 professional development ~~a comprehensive system of child welfare~~
115 ~~training, including the securing of consultants to develop the~~
116 ~~system and the developing of child welfare training academies~~

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117 ~~that include the participation~~ of persons providing child
118 welfare services.

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

122 (c) In addition to the funds generated by paragraph (b),
123 the trust fund shall receive funds generated from an additional
124 fee on birth certificates and dissolution of marriage filings,
125 as specified in ss. 382.0255 and 28.101, respectively, and may
126 receive funds from any other public or private source.

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

130 (5) CORE COMPETENCIES.—

131 (a) The Department of Children and Family Services shall
132 approve ~~establish~~ the core competencies and related preservice
133 curricula ~~for a single integrated curriculum~~ that ensures that
134 each person delivering child welfare services obtains the
135 knowledge, skills, and abilities to competently carry out his or
136 her work responsibilities. ~~This curriculum may be a compilation~~
137 ~~of different development efforts based on specific subsets of~~
138 ~~core competencies that are integrated for a comprehensive~~
139 ~~curriculum required in the provision of child welfare services~~
140 ~~in this state.~~

141 (b) The identification of these core competencies and
142 development of preservice curricula shall be a collaborative
143 effort that includes ~~to include~~ professionals who have with
144 expertise in child welfare services, department-approved third-
145 party credentialing entities, and providers that will be

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

150 (c) Community-based care agencies, sheriffs' offices, and
151 the department may contract for the delivery of preservice and
152 any additional training for persons delivering child welfare
153 services as long as the curriculum satisfies the department-
154 approved core competencies. ~~Notwithstanding s. 287.057(3) and~~
155 ~~(21), the department shall competitively solicit and contract~~
156 ~~for the development, validation, and periodic evaluation of the~~
157 ~~training curricula for the established single integrated~~
158 ~~curriculum. No more than one training curriculum may be~~
159 ~~developed for each specific subset of the core competencies.~~

160 (d) Department-approved credentialing entities shall, for a
161 period of at least 12 months following implementation of the
162 third-party child welfare certification programs, grant
163 reciprocity and award a child welfare certification to
164 individuals who hold current department-issued child welfare
165 certification in good standing, at no cost to the department or
166 the certificateholder.

167 ~~(6) ADVANCED TRAINING. The Department of Children and~~
168 ~~Family Services shall annually examine the advanced training~~
169 ~~that is needed by persons who deliver child welfare services in~~
170 ~~the state. This examination shall address whether the current~~
171 ~~advanced training provided should be continued and shall include~~
172 ~~the development of plans for incorporating any revisions to the~~
173 ~~advanced training determined necessary. This examination shall~~
174 ~~be conducted in collaboration with professionals with expertise~~

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175 ~~in child welfare services and providers that will be affected by~~
176 ~~the curriculum, to include, but not be limited to,~~
177 ~~representatives from the community-based care lead agencies,~~
178 ~~sheriffs' offices conducting child protection investigations,~~
179 ~~and child welfare legal services providers.~~

180 ~~(7) CERTIFICATION AND TRAINER QUALIFICATIONS.—The~~
181 ~~department shall, in collaboration with the professionals and~~
182 ~~providers described in subsection (5), develop minimum standards~~
183 ~~for a certification process that ensures that participants have~~
184 ~~successfully attained the knowledge, skills, and abilities~~
185 ~~necessary to competently carry out their work responsibilities~~
186 ~~and shall develop minimum standards for trainer qualifications~~
187 ~~which must be required of training academies in the offering of~~
188 ~~the training curricula. Any person providing child welfare~~
189 ~~services shall be required to master the components of the~~
190 ~~curriculum that are particular to that person's work~~
191 ~~responsibilities.~~

192 ~~(8) ESTABLISHMENT OF TRAINING ACADEMIES.—The department~~
193 ~~shall establish child welfare training academies as part of a~~
194 ~~comprehensive system of child welfare training. In establishing~~
195 ~~a program of training, the department may contract for the~~
196 ~~operation of one or more training academies to perform one or~~
197 ~~more of the following: to offer one or more of the training~~
198 ~~curricula developed under subsection (5); to administer the~~
199 ~~certification process; to develop, validate, and periodically~~
200 ~~evaluate additional training curricula determined to be~~
201 ~~necessary, including advanced training that is specific to a~~
202 ~~region or contractor, or that meets a particular training need;~~
203 ~~or to offer the additional training curricula. The number,~~

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204 ~~location, and timeframe for establishment of training academies~~
205 ~~shall be approved by the Secretary of Children and Family~~
206 ~~Services who shall ensure that the goals for the core~~
207 ~~competencies and the single integrated curriculum, the~~
208 ~~certification process, the trainer qualifications, and the~~
209 ~~additional training needs are addressed. Notwithstanding s.~~
210 ~~287.057(3) and (21), the department shall competitively solicit~~
211 ~~all training academy contracts.~~

212 ~~(6)-(9)~~ ADOPTION OF RULES.—The Department of Children and
213 Family Services shall adopt rules necessary to carry out the
214 provisions of this section.

215 Section 2. Subsection (1) of section 402.731, Florida
216 Statutes, is amended to read:

217 402.731 Department of Children and Family Services
218 certification programs for employees and service providers;
219 employment provisions for transition to community-based care.—

220 (1) The Department of Children and Family Services is
221 authorized to approve third-party credentialing entities, as
222 defined in s. 402.40, ~~create certification programs~~ for its
223 employees and service providers to ensure that only qualified
224 employees and service providers provide client services. ~~The~~
225 ~~department is authorized to develop rules that include~~
226 ~~qualifications for certification, including training and testing~~
227 ~~requirements, continuing education requirements for ongoing~~
228 ~~certification, and decertification procedures to be used to~~
229 ~~determine when an individual no longer meets the qualifications~~
230 ~~for certification and to implement the decertification of an~~
231 ~~employee or agent.~~

232 Section 3. This act shall take effect October 1, 2011.