

## CHAPTER 2011-163

### Committee Substitute for House Bill No. 279

An act relating to the training and certification of child welfare personnel; amending s. 402.40, F.S.; revising legislative intent; defining the terms “child welfare certification,” “core competency,” “preservice curriculum,” and “third-party credentialing entity”; providing required criteria for the approval of credentialing entities that develop and administer certification programs for persons who provide child welfare services; revising the use of the Child Welfare Training Trust Fund within the Department of Children and Family Services; revising provisions relating to preservice curricula; requiring persons who provide child welfare services to be certified by a third-party credentialing entity; allowing entities to add to or augment preservice curriculum; allowing entities to contract for training; requiring persons to master core competencies; providing for recognition for currently certified persons; deleting requirements relating to certification and trainer qualifications; deleting provisions relating to training academies; amending s. 402.731, F.S.; authorizing approval of third-party credentialing entities; providing an effective date.

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

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

402.40 Child welfare training and certification.—

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

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

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

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

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

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

(e) “Preservice curriculum” means the minimum statewide training content based upon the core competencies which is made available to all persons providing child welfare services.

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

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

(a) Establish professional requirements and standards that applicants must achieve in order to obtain a child welfare certification and to maintain such certification.

(b) Develop and apply core competencies and examination instruments according to nationally recognized certification and psychometric standards.

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

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

(e) Require annual continuing education for persons holding child welfare certification.

(f) Administer a continuing education provider program to ensure that only qualified providers offer continuing education opportunities for certificateholders establish a program for training pursuant to the provisions of this section, and all persons providing child welfare services shall be required to participate in and successfully complete the program of training pertinent to their areas of responsibility.

(4) CHILD WELFARE TRAINING TRUST FUND.—

(a) There is created within the State Treasury a Child Welfare Training Trust Fund to be used by the Department of Children and Family Services for the purpose of funding the professional development ~~a comprehensive system of child welfare training, including the securing of consultants to develop the system and the developing of child welfare training academies that include the participation of persons providing child welfare services.~~

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

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

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

(5) CORE COMPETENCIES.—

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

(b) The identification of these core competencies and development of preservice curricula shall be a collaborative effort that includes to include ~~professionals who have with~~ expertise in child welfare services, department-approved third-party credentialing entities, and providers that will be affected by the curriculum, including to include, but not be limited to, representatives from the community-based care lead agencies, sheriffs' offices conducting child protection investigations, and child welfare legal services providers.

(c) Community-based care agencies, sheriffs' offices, and the department may contract for the delivery of preservice and any additional training for

~~persons delivering child welfare services if the curriculum satisfies the department-approved core competencies. Notwithstanding s. 287.057(3) and (21), the department shall competitively solicit and contract for the development, validation, and periodic evaluation of the training curricula for the established single integrated curriculum. No more than one training curriculum may be developed for each specific subset of the core competencies.~~

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

~~(6) ADVANCED TRAINING.—The Department of Children and Family Services shall annually examine the advanced training that is needed by persons who deliver child welfare services in the state. This examination shall address whether the current advanced training provided should be continued and shall include the development of plans for incorporating any revisions to the advanced training determined necessary. This examination shall be conducted in collaboration with professionals with expertise in child welfare services and providers that will be affected by the curriculum, to include, but not be limited to, representatives from the community-based care lead agencies, sheriffs' offices conducting child protection investigations, and child welfare legal services providers.~~

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

~~(8) ESTABLISHMENT OF TRAINING ACADEMIES.—The department shall establish child welfare training academies as part of a comprehensive system of child welfare training. In establishing a program of training, the department may contract for the operation of one or more training academies to perform one or more of the following: to offer one or more of the training curricula developed under subsection (5); to administer the certification process; to develop, validate, and periodically evaluate additional training curricula determined to be necessary, including advanced training that is specific to a region or contractor, or that meets a particular training need; or to offer the additional training curricula. The number, location, and time-frame for establishment of training academies shall be approved by the Secretary of Children and Family Services who shall ensure that the goals for~~

~~the core competencies and the single integrated curriculum, the certification process, the trainer qualifications, and the additional training needs are addressed. Notwithstanding s. 287.057(3) and (21), the department shall competitively solicit all training academy contracts.~~

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

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

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

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

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

Approved by the Governor June 17, 2011.

Filed in Office Secretary of State June 17, 2011.