

(u) Being convicted of or entering a plea to any misdemeanor or felony relating to health care fraud (Section 456.072(1)(l), F.S.) First offense misdemeanor with no intentional fraud – from a minimum fine of \$1,000 and two years of probation to a maximum fine of \$3,000 and revocation; felony – a fine of \$10,000 and revocation.

(3) through (5) No change.

Rulemaking Specific Authority 466.038 FS. Law Implemented 456.072, 456.079, 466.028, 466.037 FS. History–New 3-28-05, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Sue Foster

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D. M.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 16, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2010

### Section III Notices of Changes, Corrections and Withdrawals

#### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

#### AGENCY FOR HEALTH CARE ADMINISTRATION

##### Medicaid

RULE NO.:	RULE TITLE:
59G-4.230	Physician Services

##### NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 18, May 7, 2010 issue of the Florida Administrative Weekly.

The amendment to Rule 59G-4.230, F.A.C., incorporates by reference the Florida Medicaid Physician Services Coverage and Limitations Handbook, January 2010.

The following section will replace the section titled “Intrathecal Baclofen Therapy” in the handbook as noticed in the proposed rule and will be inserted into the handbook in Chapter 2 between sections titled “Injectable Medication Services” and “Neonatal Critical Care Services.”

#### INTRATHECAL BACLOFEN THERAPY

##### Procedure Description

Intrathecal baclofen therapy (ITB) is used to manage severe spasticity of spinal cord or cerebral origin. The drug baclofen is infused through a surgically placed neuraxial catheter to a subcutaneously implanted infusion pump designed specifically for the administration of baclofen into the intrathecal space for continued therapy.

##### Indications for ITB Eligibility

The following criteria must be met before placing a recipient on ITB therapy:

- As indicated by at least a 6-week trial, the recipient cannot be maintained on non-invasive methods of spasm control, such as oral anti-spasmodic drugs (baclofen). These methods fail to control the spasticity adequately or produce intolerable side effects.
- Prior to implantation of the pump, the recipient has to respond favorably to a trial intrathecal dose of the anti-spasmodic drug baclofen.
- The recipient must have a positive response to a test bolus (by barbotage over not less than one (1) minute) of intrathecal baclofen by spinal catheter or lumbar puncture before initiating long term therapy.
- The intrathecal baclofen must be administered via an implantable pump that has been approved by the Food and Drug Administration specifically for the administration of baclofen into the intrathecal space for continued therapy.

##### HCPCS Codes Covered by Medicaid for ITB Therapy

Medicaid covers ITB therapy for qualifying candidates when the implantation service is rendered in the outpatient hospital setting only. The HCPCS codes below are designated to cover the ITB device. The hospital provider will use one or the other of these codes to bill Medicaid for the device, on the condition that prior authorization has been obtained and the hospital has a valid prior authorization number:

- E0783 Infusion pump system, implantable, programmable (includes all components, e.g., catheter, connectors, etc.)
- E0786 Implantable programmable infusion pump, replacement (excludes implantable intraspinal catheter)

Important Note: E0786 (replacement pump) will be allowed no sooner than every 5 years.

##### Prior Authorization Required for ITB

Prior authorization from Medicaid is required before payment of the ITB device can be made to the outpatient hospital provider. The process for obtaining prior authorization is as follows:

1. The physician recommending the ITB treatment for a qualifying candidate requests prior authorization from the Medicaid office.

- a. Prior authorization is requested using the PA 01 Form, Florida Medicaid Authorization Request. For instructions on how to complete the form, see Chapter 2 of the Medicaid Provider Reimbursement Handbook, CMS-1500.
  - b. On the PA 01 Form, the physician requests prior authorization for either E0783 or E0786, whichever one is applicable.
  - c. Documentation explaining what qualifies the candidate for the implantation of an ITB device for long term ITB therapy must be attached.  
 Note: The physician’s procedure to insert the device is already covered by Medicaid and requires no prior authorization. Only the device requires prior authorization and must be requested by the physician, not the hospital.
2. If Medicaid approves the ITB device, Medicaid will issue a prior authorization (PA) number. It is important that the physician gives this PA number to the hospital so the hospital can be reimbursed for the device. The physician billing for the insertion of the ITB pump needs no PA number on his CMS-1500 claim to Medicaid. Payment will be made to the physician for the insertion of the pump and not for the pump itself.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors’ Licensing Board**

RULE NO.:                    RULE TITLE:  
 61G6-5.0061                Registration of Additional New  
    Business Entity or Transfers  
**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 10, March 12, 2010 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

Subsection (2) shall now read as follows:

(2) The Application for registration is form number DBPR ECLB 4452-1, effective May 2010, titled Application for Registered Electrical, Alarm System or Specialty Contractor, which is hereby incorporated by reference, copies of which may be obtained from the Board office, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771 or via the internet at [http://www.myfloridalicense.com/dbpr/pro/elboard/documents/registered\\_electrical\\_package\\_enterable.pdf](http://www.myfloridalicense.com/dbpr/pro/elboard/documents/registered_electrical_package_enterable.pdf). Also applicants must complete form DBPR 0010-Master Individual Application, revised May 2010 and form DBPR 0020-1 Master Organization Application, revised May 2010.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Electrical Contractors’ Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.:                    RULE TITLE:  
 61J2-3.011                    Continuing Education for School  
    Instructors

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 29, July 23, 2010 issue of the Florida Administrative Weekly.

The correction is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee in a letter dated August 12, 2010. The correction is as follows:

The rule development publication date is: July 2, 2009.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

RULE NO.:                    RULE TITLE:  
 61J2-3.015                    Notices of Satisfactory Course  
    Completion

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 29, July 23, 2010 issue of the Florida Administrative Weekly.

The correction is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee in a letter dated August 12, 2010. The correction is as follows:

The rule development publication date is: July 2, 2009.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:                    RULE TITLES:  
 62-532.400                    Permit for Water Well Construction,  
    Repair, or Abandonment  
 62-532.410                    Water Well Completion Report  
 62-532.500                    Water Well Construction Standards

## NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 23, June 11, 2010 issue of the Florida Administrative Weekly.

62-532.400 Permit for Water Well Construction, Repair, or Abandonment.

(1) After the effective date upon which a district implements a permit system pursuant to Chapter 373, Part III, F.S., a permit shall be required before beginning construction, repair, or abandonment of any well within such area. The permit shall be obtained from the permitting authority by making written application of Form Number 62-532.900(1), State of Florida Permit Application to Construct, Repair, Modify, or Abandon a Well, (effective date) adopted and incorporated herein, and available as described in Rule 62-532.900, F.A.C. The application shall be made and submitted to the permitting authority by the owner or by the water well contractor on behalf of the owner. Any required fee shall be submitted with the permit application.

(2) through (7) No change.

(8) A drinking water supply well installed by an installation used to serve that installation's operation is exempt from meeting the 500-foot setback distance from on-site slow rate and rapid rate land application flow systems, domestic wastewater residuals land application, phosphogypsum stack systems, and solid ~~waste water~~ disposal facilities if reasonable assurance is provided by the installation owner that the ground water and drinking water source are protected. Reasonable assurance shall be demonstrated if:

(a) through (d) No change.

62-532.410 Water Well Completion Report.

Within 30 days after completion of the construction, repair, or abandonment of any water well, a written report shall be filed with the permitting authority on Form Number 62-532.900(2), State of Florida Well Completion Report, (effective date) adopted and incorporated herein, and available as described in Rule 62-532.900, F.A.C.

62-532.500 Water Well Construction Standards.

The following minimum standards shall apply to the construction, repair, and abandonment of water wells in the State unless exempted by a water management district rule with the concurrence of the Department. Operation requirements for public water systems are included in Chapter 62-555, F.A.C., and operation requirements for limited use public water systems, multifamily water systems, and private water systems are included in Chapter 64E-8, F.A.C.

(1) Well Casing, Liner Pipe, Coupling, and Well Screen Requirements.

(a) Well casing, liner pipe, coupling, and well screen shall be new or in like new condition. Such well casing, liner pipe, coupling, or well screen shall not be used unless free of breaks,

corrosion and dents, is straight and true, and not out of round. Welded or seamless black or galvanized steel pipe or casing, or stainless steel pipe or casing, or approved types of nonmetallic pipe shall be used for well casing or liner pipe. All well casing shall conform to one of the following standards: American Society for Testing and Materials (ASTM) A53/A53M-99b (1999), A135-01 (2001), A252-98 (1998), A589-96 (1996), or American Petroleum Institute (API) 5L-2000 (2000). Well casing that conforms to any of the aforementioned ASTM or API standards shall also conform to the 2000 American National Standard Institute for Welded and Seamless Wrought Steel Pipe (ANSI/ASME B36.10M-2000). All well casing shall be stenciled with the applicable standard, or proper documentation of manufacturer specifications must be supplied to the permitting authority upon request. Copies of these standards may be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, P. O. Box C700, West Conshohocken, PA, 19428-2959; the American Petroleum Institute 1220 L Street, N.W. Washington, DC 20005-4070; and the American National Standards Institute, 1819 L Street N.W., Washington, DC 20036, respectively.

(b) through (f) No change.

(g) Well casing, liner pipe, coupling, and well screens used for potable water well construction or repair shall conform to 2008 NSF International Standard/American National Standard NSF/ANSI 14-2008e, Plastics Piping System Components and Related Materials, or NSF International Standard/American National Standard NSF/ANSI 61-2008, Drinking Water System Components – Health Effects, both of which are adopted and incorporated by reference herein. Copies of these copyrighted standards may be obtained from NSF International, P. O. Box 130140, Ann Arbor, MI 48113-0140.

(h) through (i) No change.

(2) No change.

(3) Well Construction Criteria.

(a) through (f) No change.

(g) Only water from a potable water source shall be used in the construction, repair or abandonment of a water well, including water for cleaning of well materials, drilling equipment, and water used to mix drilling fluids.

(i) Grouting and Sealing.

1. through 5. No change.

6. Except as provided in subparagraph 5. above, grouting and sealing of water wells shall be accomplished by the practices and methods recommended by Appendix C of American Water Works Association (AWWA) Standard A100-97, AWWA Standard for Water Wells, (1997), and grouting and sealing of geothermal wells shall be accomplished by the practices and methods recommended by the Vertical Geothermal Heat Pump Systems Engineering Design and Field Procedures Manual, published by the International Ground Source Heat Pump Association, First

Edition 2000, Oklahoma State University, which are adopted and incorporated by reference herein. Copies of these recommended practices and methods may be obtained from the American Water Works Association, 6666 West Quincy Avenue, Denver, CO 80235; and the International Ground Source Heat Pump Association, Oklahoma State University, 374 Cordell South, Stillwater, OK 74078-8018, respectively.

Public Water Systems 62-555.312(3)	Sanitary Hazard as defined in 62-550 for drinking water supply wells serving public water systems	100 (f), 50 (g)
Feedlot and Dairy Wastewater Treatment and Management Requirements 62-670.500(6)(a)	Dairy Farm Waste – Unlined Storage and Treatment, or High Intensity Areas	300
62-670.500(6)(b)	Dairy Farm Waste – Land Application	200

TABLE I WELL SETBACK DISTANCES [insert effective date of this rulemaking] Part A Drinking Water Supply Wells Serving Public Water Systems or Bottled Water Plant Wells		
RULE	INSTALLATION	SETBACK in feet (footnote)
Reuse of Reclaimed Water and Land Application 62-610.421(3)	Slow Rate Land Application Restricted Public Access	500 (a)
62-610.521(2)	Rapid Rate Land Application	500 (b)
62-610.621(2)	Overland Flow Systems	500
62-610.621(4)	Transmission Facilities Conveying Reclaimed Water to Restricted Public Access Slow Rate Land Application Systems, Rapid Rate Land Application System, or Overland Flow Systems	100
62-610.471(1)	Public Access, Residential Irrigation, or Edible Crop Slow-rate Land Application Systems	75
62-610.471(3)	Transmission Facilities Conveying Reclaimed Water to Public Access, Residential Irrigation, or Edible Crop Slow-rate Land Application Systems	75
Domestic Wastewater Residuals 62-640.700(4)(b)	Domestic Wastewater Residuals Land Application Areas	500
Phosphogypsum Management 62-673.340(2)(d)	Phosphogypsum Stack Systems	500 (c)
Storage Tank Systems 62-761.500(1)(a) and 62-762.501(1)(a)	Aboveground or Underground Storage Tanks	100
Solid Waste Management Facilities 62-701.300(2)(b)( <del>h</del> )	Solid Waste Disposal Facilities	500
62-701.300(12)(a)( <del>e</del> )	Yard Trash Disposal, Storage, or Processing	200
62-701.300(13)	Storage or Treatment of Solid Waste in Tanks	100
Permitting and Construction of Public Water Systems 62-555.312(1)	Onsite Sewage Treatment and Disposal Systems	200 (d), 100 (e)

**DEPARTMENT OF JUVENILE JUSTICE**

**Division of Administration**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
63F-11.001	Purpose and Scope
63F-11.002	Definitions
63F-11.003	Reporting Incidents
63F-11.004	Reportable Incident Types
63F-11.005	Operation of the Central Communications Center
63F-11.006	Daily Reporting

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 17, April 30, 2010 issue of the Florida Administrative Weekly.

63F-11.001 Purpose and Scope.

No change.

Rulemaking Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1), 985.601 FS. History—New\_\_\_\_\_.

63F-11.002 Definitions.

For the purpose of this rule chapter, the following terms are defined as follows:

(1) Abscond – Absconding occurs when a supervised youth goes in a clandestine manner out of the jurisdiction of the court to avoid legal process, or when the youth hides, conceals or absents himself or herself with the intent to avoid legal process.

(2)(~~1~~) Administrator – The state employee or designee at the Headquarters or Regional level responsible for the overall department operation in a geographic area or program.

(3)(~~2~~) Central Communications Center (CCC) – The unit located in department headquarters that is charged with receiving reports regarding incidents and events involving youths in department custody or under supervision, and state and contracted employees from all department and provider facilities, programs funded in whole or in part, offices; or sites operated by the department, a provider or grantee.

(3) through (7) renumbered (4) through (8) No change.

(9) Failure to Report – Any incident or event that is not reported to the CCC within (2) hours of the incident or event occurring, or two (2) hours after the program gains knowledge of the incident or event.

(10) Grave Harm – An illness or injury that could potentially require emergency or urgent care.

(11)(8) Incapacitating Illness or Injury – Any injury which involves substantial risk of death, protracted and obvious disfigurement, protracted loss or impairment of the function of a bodily member or organ or mental faculty, lacerations that cause severe hemorrhages, nerve, muscle, or tendon damage, second or third degree burns or any burns affecting more than five percent of the body surface, fracture of any bone, or the loss of sight in an eye.

(9) through (10) renumbered (12) through (13) No change.

(14) Sexual Contact – Fondling, digital, oral, anal, or vaginal penetration by, or union with the sexual organ of another, or the anal or vaginal penetration of another by other object.

(15)(11) Suicide Attempt – Any action deliberately undertaken by the youth with suicide ideation or intent, which, if carried out, would result in death.

~~(12) Suicide Gesture – Any action deliberately undertaken by the youth with suicide ideation or intent, which, if carried out, would not result in death.~~

(16)(13) Youth – For the purposes of this Rule a youth is defined as any person placed in the custody, care, or supervision of the department.

Rulemaking Specific Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1); 985.601 FS. History–New\_\_\_\_\_.

63F-11.003 Reporting Incidents.

(1) All designated incident types shall be reported to the CCC within two (2) hours of the affected facility, office, or program learning of the incident, with the exception of those specified in paragraph 63F-11.004(3)(d), F.A.C.

(a) The reporting facility/program staff shall provide all of the basic information currently known at the time the report is made, including the names of the youth and staff involved, the nature of the incident, the time and location and, when available, any incident number generated by other agencies.

(b) If the CCC is not staffed at the time the call is required, the reporting staff must leave a voice message with his or her name, program affiliation and a telephone number where a person can be reached for additional information.

1. In the case of a serious incident where safety or security is compromised, or a youth ~~or on-duty staff~~ at a state or provider-operated facility or program has an incapacitating illness or injury, or has died, the program must contact its Regional Director and report available details within the required two-hour reporting time, in addition to the voicemail reporting described above. The Regional Director receiving a report of incapacitating illness, injury or death must notify the

Assistant Secretary of the pertinent program area, who will ensure that all appropriate notifications are made and CCC reporting is initiated.

2. Upon opening the CCC for operations, following any scheduled or unscheduled period in which the CCC is not staffed, it is the responsibility of the CCC duty officers to return all messages received on the voicemail system, beginning with the calls described in subparagraph 1, above. Other calls will be returned in the order in which they were received.

(c) through (d) No change.

(2) No change.

Rulemaking Specific Authority 985.64 FS. Law Implemented 20.055(2), 20.316(1); 985.601 FS. History–New\_\_\_\_\_.

63F-11.004 Reportable Incident Types.

(1) Program Disruption Incidents, which include ~~including but not limited to:~~

(a) Accident, Building Emergency, ~~and/or~~ System Malfunction: Any accident on the grounds of the facility or program, or any complete failure of an electronic or manual system that directly impacts the safety, security and welfare of department youths at a residential facility or program, juvenile assessment center, or detention center where maintenance staff cannot affect repairs within twenty-four (24) hours, and facility operations will be disrupted, ~~and/or~~ any emergency situation that requires evacuation or results in the evacuation of youths and staff from a department or provider building. This includes, but is not limited to, fire, bomb threat, or the discovery of a suspect device. Excluded are scheduled exercises, drills, and false alarms.

(b) through (h) No change.

~~(i) Serious Incidents/Media Attention: Any incident or criminal activity that has resulted in media attention or will likely be subject to public interest. This includes may include, but is not limited to, incidents where media representatives were at the scene of the incident or have called with questions, and/or where public officials have expressed concern. Regardless of the situation, sound judgment should always be used when assessing these types of incidents.~~

(j) through (l) No change.

(m) Detention Placement Alert: Any incident where a youth in any of the following categories is admitted to a secure detention facility:

1. The admitted youth is 9 ~~40~~ years of age or younger;
2. The admitted youth has a formal IQ of 70 or below;
3. The admitted youth exhibits behavior suggestive of intellectual disability or developmental disability, including significant deficits in comprehension/reasoning, language expression, or maturity level;
4. The admitted youth is in special education classes for students with “Intellectual Disabilities” or “Autism Spectrum Disorder”;

5. The admitted youth is blind, deaf, mute, or unable to walk without the use of a mechanical aid.

(2) Escape/Abscond Incidents:

(a) Absconder:

1. Any incident in which the whereabouts become unknown for a youth who is pending an administrative transfer, committed to minimum-risk and on pre-placement status, is on an authorized home visit from a residential facility, or is on a temporary release status that was approved by the court. The incident should only be reported after a diligent search has been completed and the court has been formally requested to order that the youth be taken into custody ~~an Affidavit for Pick Up Order has been submitted to the court.~~

2. Any incident in which a pre-placement youth is reported by the parent or legal guardian to have run away, the family of such a youth leaves the area with the youth without notifying the department or the court of their whereabouts, or a youth fails to arrive for transport to his or her program, and when the court has been formally requested to order that the youth be taken into custody ~~an Affidavit for Pick Up Order has been submitted to the court~~ as a result of the youth's whereabouts being unknown.

3. When, through a diligent search, it is determined that a youth committed to minimum risk has absconded and the court has been formally requested to order that the youth be taken into custody ~~an Affidavit for Pick Up Order has been submitted to the court.~~ Mere absenteeism from the assigned program does not constitute absconding.

(b) Escape Attempts: Any incident involving a youth who leaves the grounds or boundaries of a secure residential facility, detention facility or juvenile assessment center, or is committed to a secure residential facility and leaves the custody of facility staff when outside the facility, must be reported as an attempted escape if the youth is apprehended immediately and facility staff maintained constant sight supervision throughout the incident.

(c) Escapes:

1. Any incident involving a youth who leaves the grounds or fenced boundaries of a secure residential facility, detention facility or juvenile assessment center, or who is committed or detained in such a place and leaves the custody of facility staff when outside the facility, must be reported as an escape regardless of the length or duration of the departure.

2. Any incident involving a youth who leaves the grounds or boundaries of a non-secure residential facility, or is committed to a non-secure residential facility and leaves the custody and sight supervision of facility staff when outside the facility, must be reported as an escape.

(3) Medical Incidents:

(a) Contagious Diseases: Any incident involving contagious disease requiring the quarantining or hospitalization of at least ten percent (10%) of the total population of youths or staff or six (6) individuals, whichever number is less, within a facility or program.

(b) Employee Death: Any death of an employee while he or she is on ~~or~~ duty.

(c) PAR Restraint, Youth or Staff Injury: Any incident involving a PAR restraint where a youth or staff member receives a serious injury from any restraint that requires medical treatment beyond standard first aid.

(d) Youth Injury: Incidents or events involving a serious injury to a youth under department supervision occurring in a department facility, at a facility-based day treatment program, contracted facility, shelter, or contract site or program must be reported to the CCC when the nature of the injury requires immediate and emergency medical care. An incident under this category is ~~not~~ required to be reported within 2 hours of until ~~staff verifying have verified~~ that a serious injury has occurred with the following:

1. Broken or dislocated bones;
2. Head Injury, excluding superficial cuts, bruises, or minor swelling unaccompanied by changes in mental acuity;
3. Eye injury involving a penetrating wound or an injury that alters vision;
4. Acute dental injury or broken teeth

(e) Medical Illness: Incidents or events involving medical illness to a ~~staff or~~ youth under department supervision or occurring in a department facility, at a facility-based day treatment program, contracted facility, shelter, or contract site or program must be reported to the CCC when the nature of the life threatening injury or illness requires treatment on or off site, and falls within one of the following:

1. Heart or breathing has stopped or the person is turning blue;
2. Unconsciousness or unresponsiveness to voice;
3. CPR is initiated;
4. Severe, prolonged or uncontrollable bleeding;
5. Acute paralysis;
- 6 Overdose;
7. Acute or prolonged abdominal pain;
8. Acute or prolonged chest pain;
9. Fever of 103 degrees or higher;
10. Inability to urinate for eight (8) hours.
11. Ingestion of a poisonous or potentially poisonous substance.
12. Seizure due to an undiagnosed medical condition, i.e. Epilepsy;
13. Complications of pregnancy;
14. Unscheduled hospital or other healthcare facility admission requiring an overnight stay. This does not include scheduled medical procedures, treatment, or surgeries;

15. Any illness, disease, or other medical condition, or life endangering safety code violation, which requires reporting to the County Health Department, Board of Health, or other healthcare agency.

(f) Youth Death: Any death of a youth occurring while under department supervision.

(g) Youth Dependent Medical: Any biological child of a youth who receives off-site, non-scheduled emergency medical attention while in direct custody of the department.

(4) Mental Health and Substance Abuse Incidents:

(a) Self-Inflicted Injury: Any incident of self-inflicted injury that occurs at a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site or program resulting in physical injuries, marks or bruises requiring immediate, emergency treatment. Self-inflicted injury means any deliberate action taken by the youth to harm himself or herself, but is not necessarily associated with suicide ideation or suicide intent.

(b) Suicide Attempts: Any incident of a suicide attempt that occurs in a department facility, juvenile assessment center, day treatment program, contracted facility, shelter, contracted site or program requiring emergency medical services. Suicide attempts that do not require outside medical attention or emergency medical services, but which are believed to be potentially serious or life-threatening must also be reported to the CCC. When in doubt if the attempt or gesture was potentially serious or life-threatening, it shall be reported to the CCC.

(5) Complaints Against Staff Incidents:

(a) through (h) No change.

(i) ~~Unauthorized Improper~~ Release: Any incident or event where a youth is improperly released from any state operated or contracted residential facility, secure detention center or juvenile assessment center. This includes the release of a youth from a shelter when the placement is pursuant to a court order.

(j) Health or Mental Health / Substance Abuse Services Complaint: Any known or reasonable suspicion of an improper action or omission of medical, mental health or substance abuse services that could potentially cause grave harm or injury to the youth by any administrative or direct-care staff, regardless of licensure, at a department facility, facility-based day treatment program, contracted facility, shelter, contracted site or program. Any alleged improper action or omission of medical, mental health or substance abuse services by any administrative or direct care staff, regardless of licensure, at a department facility, facility based day treatment program, contracted facility, shelter, contracted site or program. This includes, but is not limited to:

1. Denial of care, services or treatment;
2. Narcotic inventory discrepancy; and
3. Omitted ~~Missing~~ medications.

(k) through (m) No change.

(6) Youth Behavior Incidents:

(a) Battery: Any battery occurring in a department facility, facility-based day treatment program, contracted facility, shelter, contracted site, or program that results in a law enforcement arrest.

(b) Felony Activity or Incidents Involving Youths on Community Supervision:

4- Any arrest of a youth for a capital offense or life felony, when as a result of the youth's actions a victim died or sustained serious injury.

~~2- Any other situations where the activities of the youth or the department are likely to be the subject of public interest.~~

(c) through (d) No change.

Rulemaking Specific Authority 985.64 FS. Law Implemented ~~20.055(2), 20.316(1)~~; 985.601 FS. History-New \_\_\_\_\_.

63F-11.005 Operation of the Central Communications Center.

(1) through (3) No change.

Rulemaking Specific Authority 985.64 FS. Law Implemented ~~20.055(2), 20.316(1)~~; 985.601 FS. History-New \_\_\_\_\_.

63F-11.006 Daily Reporting.

(1) through (2) No change.

Rulemaking Authority 985.64 FS. Law Implemented ~~20.055(2), 20.316(1)~~; 985.601 FS. History-New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Nursing**

RULE NO.: 64B9-3.002  
 RULE TITLE: Qualifications for Examination  
 NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, FS, published in Vol. 36, No.33, of the August 20, 2010, issue of the Florida Administrative Weekly. The change updates the revision date of the Application for Nursing Licensure by Re-Examination, form number DH-MQA 1120, annual report form incorporated by reference. The change is as follows:

64B9-3.002 Qualifications for Examination.

(1) An applicant seeking certification to take the licensure examination shall submit a completed Application for Nursing Licensure by Examination, form number DH-MQA 1094, 08/10, Application for Nursing Licensure by Re-Examination, form number DH-MQA 1120 04/10, or Application for Nursing Licensure by Endorsement, form number DH-MQA 1095, 08/10, hereby incorporated by reference demonstrating, on forms provided by the Department, evidence that he or she meets the qualifications prescribed by the Nurse Practice Act, Chapter 464, F.S. These forms are available from the Board

office or on the Board's website: [www.doh.state.fl.us/mqa/nursing](http://www.doh.state.fl.us/mqa/nursing). The demonstration shall include ~~Such evidence shall consist of:~~

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:  
65C-33.010 Break in Service

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 46, November 14, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Family Safety and Preservation Program**

RULE NOS.: RULE TITLES:  
65C-33.001 Definitions  
65C-33.002 Certification for Child Protection Professionals  
65C-33.003 Child Welfare Pre-Service Training  
65C-33.004 Pre-Service Training Assessments  
65C-33.005 Phase II of Child Welfare Training  
65C-33.006 Performance Assessment  
65C-33.007 Additional Requirements for Supervisor Certification  
65C-33.008 Recertification  
65C-33.009 Certificate Issuance  
65C-33.010 Waiver Process  
65C-33.011 Decertification  
65C-33.012 Child Welfare Trainer Certification  
65C-33.013 "Supervising for Excellence" Trainer Certification

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 46, November 14, 2008 issue of the Florida Administrative Weekly.

65C-33.010 ~~Waiver Process~~ Break in Service  
65C-33.011 ~~Decertification~~ Waiver Process

65C-33.001 Definitions.

(1) "Agency" or "Employing Agency" refers to the Department, or any Sheriff's Office or Community-Based Care (CBC) provider under Grant Agreement or under contract with the Department to provide core child protection or child welfare services, including protective investigations, protective supervision, post-placement supervision, foster care, and other out-of-home care or adoption services.

(2) "Break in Service" refers to an interruption of an individual's continuous employment in a position requiring Child Protection Professional certification.

(3) "Certification" refers to the process whereby an individual must demonstrate the knowledge, skills, abilities and priorities, values and attitudes necessary to competently discharge the duties of a Florida Child Protection Professional, as evidenced by the successful completion of all applicable classroom instruction, field training, testing, and job-performance requirements of his or her position classification. Unless accommodations are made by the employing agency to address an individual's special ~~or other~~ circumstances, each individual in a position requiring certification must be certified within one (1) year of the date of hire, or within one year of having successfully completed the post-test or the waiver test, whichever is earlier. Absent special circumstances, certification is valid for a period of no longer than three (3) years. Certification is a condition of employment in those positions requiring certification. Absent special circumstances, certification is valid for a period of no longer than three (3) years.

(4) "Certification Designation" refers to one of the ~~11 ten~~ Child Protection Professional categories in which an individual is eligible for certification, depending upon his or her position classification. Each position classification has a different training, testing and certification requirement, all of which are established by the Department:

- (a) Child Protective Investigator;
- (b) Child Protective Investigations Supervisor;
- (c) Child Protective Investigations Specialist/~~Quality Assurance Professional/Field Trainer~~;
- (d) Child Protection Case Manager;
- (e) Child Protection Case Management Supervisor;
- (f) Child Protection Case Management Specialist/~~Quality Assurance Professional/Field Trainer~~;
- (g) Child Protection Licensing Counselor;
- (h) Child Protection Licensing Supervisor;
- (i) Child Protection Licensing Specialist/~~Quality Assurance Professional/Field Trainer~~;
- (j) Child Protection Specialized Services Professional;
- (k)(~~j~~) Child Welfare Trainer.

(5) "Certification Plan" refers to an individualized, time-limited written contract between the Trainee or Child Protection Professional, his or her supervisor, and a Certified Child Welfare Trainer, which ~~shall, at the discretion of the employing agency, may~~ be developed when the need for such a plan is indicated by the ~~individual's job performance; the individual's inability to fulfill all training and certification requirements as necessary; or as a result of the agency's accommodation of the individual's special or other circumstances.~~



(6) “Certified Florida Child Protection Professional” or “Certified” refers to the designation earned by an individual who has met the criteria for Florida certification as a Child Protective Investigations Professional, a Child Protection Case Management Professional, ~~or a Child Protection Licensing Professional, or a Child Protection Specialized Services Professional~~, by demonstrating the knowledge, skills, abilities ~~and priorities, values and attitudes~~ necessary to competently discharge the duties of his or her position classification, as evidenced by the successful completion of all applicable classroom instruction, field training, testing, and job-performance requirements necessary for certification as a Florida Child Protection Professional.

(7) “Child Protection Case Management Professional” refers to any Department employee or employee of any designated service provider under contract with the Department who directly conducts, or who directly supervises individuals who conduct child protection services such as protective supervision, post-placement supervision, foster care, and other out-of-home care or adoption services.

(8)(7) “Child Protection/Child Welfare Services” or “Child Protection Services” as defined in subsection 65C-30.001(21), F.A.C., means “core child protection programs such as protective investigations, protective supervision, post-placement supervision, foster care and other out-of-home care, or adoption services.”

~~(8) “Child Protective Investigations Professional” means a Department or designated sheriff’s office or contracted service provider employee who conducts, supervises, trains, or is in any capacity responsible for either the performance, oversight, or the quality assurance review of investigations of reports of child abuse, neglect, or abandonment received by the Florida Abuse Hotline as defined in Section 39.01(61), F.S.~~

~~(9) “Child Protection Licensing Professional” refers to any Department employee or employee of any designated service provider under contract with the Department who directly conducts, or who directly supervises individuals who conduct foster home licensing services. “Child Protection Professional” refers to any Department or designated sheriff’s office or contracted service provider employee who conducts, supervises, trains, or is in any capacity responsible for either the performance, oversight, or the quality assurance review of child protection services such as protective investigations, protective supervision, post placement supervision, foster care, licensing and other out of home care or adoption services.~~

(10) “Child Protective Investigations Professional” refers to any Department employee or employee of any designated service provider or sheriff’s office under contract or Grant Agreement with the Department who directly conducts, or directly supervises individuals who conduct investigations of reports of child abuse, neglect, or abandonment received by the Florida Abuse Hotline as defined in Section 39.01(61), F.S.

~~(11)(10)~~ “Child Welfare Pre-Service Training Program” (also known as “Pre-Service”) refers to “Phase I,” the multi-faceted child welfare pre-service curriculum, the primary component of which is classroom instruction. The Pre-Service Training Program may also include opportunities for on-line learning as well as supervised, agency-specific field activities. Program participants must successfully complete all Phase I pre-service training requirements, including passing the post-test, in order to be eligible to move on to Phase II, the field portion of the Child Protection Professional certification process.

~~(11) “Child Protection Case Management Professional” refers to any Department or designated contracted service provider employee who conducts, supervises, trains, or is in any capacity responsible for either the performance, oversight, or the quality assurance review of child protection services such as protective supervision, post placement supervision, foster care, licensing and other out of home care, or adoption services.~~

(12) “Classroom Instruction” refers to one of the facets of the State of Florida Child Protection Professional Pre-Service Training Program, the other facets of which may include opportunities for on-line learning as well as supervised, agency-specific field activities. Classroom instruction involves the delivery and facilitation of approved, mandatory child welfare curricula by at least one Certified Child Welfare Trainer in the classroom at all times.

(13) “Core Competency Elements,” or “Core Competencies,” as described in Section 402.40(5)(a), F.S., refer to the range of fundamental and essential knowledge, skills, abilities ~~and priorities, values and attitudes~~ as determined by the Department, that every Child Protection Professional must achieve, demonstrate and maintain in order to competently perform his or her work responsibilities. These competencies are posted on the Training Academy website, at: <http://cwta.fmhi.usf.edu/> and the document “Florida Child Welfare Core Competencies”, CF/PI 175-72 PDF 04/2010, is incorporated by reference. A copy of this document is available upon request by contacting the Office of Family Safety, 1317 Winewood Boulevard, Building 1, Room 306G, Tallahassee, Florida 32399-0700.

(14) “Decertification” refers to the process to be undertaken when a certified individual no longer meets the qualifications for certification. An individual may be decertified for cause (refer to Rule 65C-33.011); any individual so decertified must immediately be removed from any position requiring certification.

~~(15)(14)~~ “Department” refers to the Florida Department of Children and Families.

~~(16)(15)~~ “Field Activities” or “Field Training” refers to one type of experiential learning which may be included in the State of Florida Child Welfare Pre-Service Training Program. When agency-designed field activities are included as part of a

trainee's pre-service training experience, the trainee must be accompanied by and under the direct and constant supervision of a Certified Child Protection Professional; the activities can take place in the field (e.g. accompanying certified staff on home visits or to court), or in the trainee's unit (e.g., reviewing documentation in a case record).

(17) "Florida Safe Families Network" (also known as "FSFN") refers to the SACWIS system of record which supports child safety, well-being and permanency by providing tools to enhance the quality of investigation, case management, and permanency services. As the official record of the case, FSFN is the mechanism by which to document and integrate various aspects of child welfare case practice and service delivery in a single statewide system, including intake and investigation, assessment and case planning, financial management, resource and provider management, and service delivery tracking.

~~(18)(16)~~ "Independent Evaluator" refers to an individual, who is not in addition to a Child Protection Professional's candidate's supervisor, who is responsible for reviewing and impartially evaluating the casework and interpersonal skills portions of the Performance Assessment of a Child Protection Professional who is a candidate for certification. The independent evaluator is "independent" in the sense that he or she is not in the candidate's direct line of supervision within the employing agency. ~~Examples of those individuals outside of a candidate's chain of command, who may serve as independent evaluators include Certified Child Protection Professionals such as: Child Protection Supervisors, Program Specialists, Quality Assurance staff, Child Welfare Trainers and Training Managers.~~

~~(17) "In-Service Training" (see "Professional Development Training").~~

~~(19)(18)~~ "Intern" refers to an undergraduate or graduate college student undergoing supervised, practical training in the field of social work, child welfare/child protection, or similar human services field.

~~(20)(19)~~ "Interpersonal Skills Evaluation" refers to that portion of the Performance Assessment wherein a meeting between the Child Protection Professional candidate for certification and a client, family, or other party is observed by the individual's supervisor and an independent evaluator (either together or separately), in order to assess the individual's competence in interacting with others in a professional manner.

~~(21)(20)~~ "On-Line Learning" refers to one type of learning experience, provided via a computer, which may be included in the State of Florida Child Welfare Pre-Service Training Program.

(22) "Paraprofessional" for the purposes of this rule, refers to a trained aide who assists a professional individual.

~~(23)(24)~~ "Performance Assessment/Skills Demonstration" refers to the competency-based performance evaluation which is conducted on one of the cases assigned to each Child Protection Professional for which the individual has primary case responsibility, in order to help measure the knowledge, skills, abilities and priorities, values and attitudes he or she demonstrates on the job. The Performance Assessment is the skills demonstration component of the certification process, the successful completion of which is required for certification of staff in the position classifications of Protective Investigations, Case Management and Licensing. The Performance Assessments which have been approved by the Department for each of these position classifications are incorporated by reference in Rule 65C-33.006, F.A.C. The two-part assessment is considered to be the culmination of the "Phase II" portion of the Child Protection Professional Certification process, and is designed to assess both casework and interpersonal skills. ~~Absent special or other circumstances, the "window" period during which all portions of a candidate's initial Performance Assessment must be completed extends from no sooner than 6 months from the date of the candidate's successful completion of the waiver or post-test, to no later than months from the date of the individual's waiver or post-test.~~

~~(22) "Performance Improvement Plan" refers to an individualized, time limited written contract between the individual, his or her supervisor, that supervisor's supervisor, and a Certified Child Welfare Trainer (as well as any other appropriate individuals), which, at the discretion of the employing agency, may be developed when the individual has failed to successfully carry out his or her job responsibilities or has otherwise failed to meet the agency's job performance expectations, absent special or other circumstances accommodated by the employing agency.~~

~~(23) "Phase I" refers to the "Child Welfare Pre-Service Training Program," the multi-faceted child protection pre-service curriculum, the primary component of which is classroom instruction. Phase I may also include opportunities for on-line learning as well as supervised, agency-specific field activities. Program participants must successfully complete all pre-service training requirements, including passing the post-test, in order to be eligible to move on to Phase II, the field portion of the Child Protection Professional certification process.~~

~~(24) "Phase II" refers to the period of time between an individual's successful completion of the pre-service requirements and successful completion of the Performance Assessment/Skills Demonstration. At the beginning of Phase II, the Child Protection Professional is given a caseload and other duties, and, under close supervision, is guided through the process of learning how to competently manage the responsibilities of his or her position. Phase II is performance-driven in that it examines the degree to which, with supervision and support, the Child Protection Professional~~

is able to transfer the knowledge, skills, abilities and priorities, values and attitudes developed during the pre-service training to actual casework application. Phase II culminates with the Performance Assessment/Skills Demonstration, the successful completion of which leads to initial certification when all other agency requirements are met.

(25) "Position Classification" in Child Protection refers to such categories of Child Protection Professionals as Protective Investigations, Case Management, and Licensing.

(26) "Post-Test" refers to the competency-based, criterion-referenced, proctored, written or on-line test which is administered at the conclusion of the State of Florida Child Welfare Pre-Service Training Program classroom curriculum. The post-test is designed both to measure the level of each trainee's basic knowledge of Florida child protection laws, principles and policies, and to gauge each individual's ability to appropriately integrate and apply fundamental child welfare/child protection concepts in his or her decision-making, when determining how best to meet the safety, permanency and well-being needs of a child. Upon successful completion of the post-test, the trainee may progress to Phase II, and assume the role and responsibilities of a Child Protection Professional.

~~(27) "Pre-Service" is an abbreviated name for the "Child Welfare Pre-Service Training Program," and refers to "Phase I," the multi-faceted child welfare pre-service curriculum, the primary component of which is classroom instruction. The Pre-Service Training Program may also include opportunities for on-line learning as well as supervised, agency-specific field activities. Program participants must successfully complete all pre-service training requirements, including passing the post-test, in order to be eligible to move on to Phase II, the field portion of the Child Protection Professional certification process.~~

~~(27)(28) "Pre-Test" refers to the written or on-line test which is administered at the commencement of the Pre-Service training curriculum. The pre-test is designed to record baseline data on each trainee's basic understanding of child protection issues prior to training, and to provide the trainee with an opportunity to gain familiarity with the testing instrument as well as some of the curriculum course content.~~

~~(28)(29) "Primary case responsibility" refers to the principal or foremost person, unit or geographical area assigned to perform child welfare/child protection services for a specific child, investigation, or family, or case. Neither interns nor trainees shall carry a caseload, be assigned any cases, conduct any unaccompanied or unsupervised home visits, perform any home studies or interviews of children or adults, be responsible for any assessment of risk, or have either primary or secondary responsibility for any investigation, child, family or case until successful completion of the pre-service training, including having passed the post-test.~~

~~(30) "Professional Development Plan" (please see "Recertification Plan").~~

~~(29)(31) "Professional Development Training" (also known as "In-Service Training"), refers to all relevant training in which a Certified Child Protection Professional participates in order to help develop or enhance his or her core competencies on an on-going basis. Each Certified Child Protection Professional must successfully complete a minimum of 48 Professional Development training hours every three (3) years in order to be eligible for recertification.~~

~~(30)(32) "Provisional Certification" refers to the certification status of a Certified Child Protection Professional whose most recent certification has expired as a result of the individual not having met the Professional Development training (or other) requirements for recertification. Provisional Certification may not exceed 60 days from the date of the expiration of the individual's most recent certification. While provisionally certified, the individual may carry a caseload and continue to perform his or her job responsibilities, but must complete all requirements for recertification addressed in the Professional Development Plan within the specified time frame (no later than 60 days from the date of expiration of the individual's most recent certification), or be removed from any position requiring such certification.~~

~~(31)(33) "Recertification" refers to the process whereby the certification of a currently certified individual Child Protective Investigations Professional or Child Protection Case Management Professional must be renewed every three (3) years, based upon the individual's continuing ability to satisfy on-going training requirements, and meet both the demands of the job and the expectations of the employing agency. Unless accommodations are made by the employing agency to address an individual's special or other circumstances, each individual in a position requiring certification must either be recertified within three (3) years of the date of the most recent (current) certification, or enter into a Recertification Plan.~~

~~(32)(34) "Recertification Plan" (also known as "Professional Development Plan") refers to an individualized, time-limited written contract between the Certified Child Protection Professional, his or her supervisor, and a Certified Child Welfare Trainer, which shall be developed when the Certified Child Protection Professional has failed to complete the required 48 Professional Development training hours as required for recertification, absent special or other circumstances accommodated by the employing agency. The agency-designed Recertification Plan must identify the roles and responsibilities of all plan participants, must address the training, activities and other action steps necessary in order for the Child Protection Professional to achieve recertification, and must include a specific time frame for successful completion of all activities. During this period of time, the individual is "provisionally certified."~~

~~(33)~~<sup>(35)</sup> “Remedial Training Plan” refers to an individualized, time-limited written contract between the trainee, his or her supervisor, and a Certified Child Welfare Trainer, which shall be developed when the trainee has failed to successfully complete his or her first attempt of the post-test, and will be re-taking the post test absent special or other circumstances accommodated by the employing agency. It is the responsibility of the trainee’s supervisor to initiate development of the Remedial Training Plan with input from the trainer and trainee.

~~(34)~~<sup>(36)</sup> “Secondary case responsibility” refers to the designation of a person, unit or geographical area assigned by the supervisor to perform child welfare/child protection services for a specific child, investigation, or family, or case in a minor capacity or to a lesser degree than that which maintains the “primary” case responsibility, in cases such as out of town inquiry (OTI), out of county, and courtesy supervision. Neither interns nor trainees shall carry a caseload, be assigned any cases, conduct any unaccompanied or unsupervised home visits, perform any home studies or interviews of children or adults, be responsible for any assessment of risk, or have either primary or secondary responsibility for any investigation, child, family or case until successful completion of the pre-service training, including having passed the post-test.

~~(35)~~<sup>(37)</sup> “Special ~~or Other~~ Circumstances” refer to those instances in which an individual is unable to may be on approved, extended medical or family leave, or when an individual cannot assume full or partial responsibility for a caseload, or is unable to be involved as required in pre-service or professional development (in-service) training due to unforeseen conditions beyond his or her control, which may limit the individual’s ability to perform some or all required job functions. The nature and extent of any accommodation of special or other circumstances is at the sole discretion of the employing agency.

~~(36)~~ “Statewide Automated Child Welfare Information System” (also known as “SACWIS”), refers to a single statewide system that automates the collection of federally-mandated child welfare data and provides support for the delivery and management of child welfare services. The Florida Safe Families Network (“FSFN”) is the state’s SACWIS system of record.

~~(38)~~ “Supervising for Excellence” refers to the Department approved curriculum required of supervisors as part of their certification process; an individual’s participation in this course is subsequent to successful completion of all certification activities, including the Performance Assessment.

~~(37)~~<sup>(38)</sup> “Supervising for Excellence” refers to the Office of Family Safety-approved curriculum (including classroom training, assignments and a project component), which is required as part of the certification process for supervisors; an individual’s participation in this or other Department-approved supervisory course is one of the two steps in the supervisory

certification process, the other of which is successful completion of the applicable Performance Assessment for the supervisor’s position classification (Protective Investigations; Case Management; Licensing).

~~(38)~~<sup>(39)</sup> “Trainee” means a participant in the State of Florida Child Welfare Pre-Service Training Program. An individual trainee remains in trainee this status during the entire period of time he or she is in the pre-service training; during this time, the trainee may only assist Child Protection staff in the performance of their job duties, if he or she is accompanied by and under the direct and constant supervision of a Certified Child Protection Professional. Upon successful completion of the post-test, the trainee is eligible to progress to Phase II, and may assume the role and responsibilities of a Child Protection Professional.

~~(39)~~<sup>(40)</sup> “Training Academy” refers to The Child Welfare Training Academy, which is responsible for the training and certification of Child Welfare Trainers, and for the administration of the State of Florida’s Child Protection Professional Certification Program. The mission of the Training Academy is to ensure that Child Welfare Trainers have the skills and supports necessary to help provide Child Protection Professionals with the knowledge, skills, abilities and priorities, values and attitudes needed to make decisions that provide Florida children with safe and permanent homes.

~~(40)~~<sup>(41)</sup> “Training Case~~Load~~” refers to the reduced number of cases assigned to each Child Protection Professional after having successfully completed the pre-service curriculum and passing the post-test or waiver test.

~~(41)~~ “Training Entity” refers to the employing agency of each Child Welfare Trainer, which is responsible for the delivery of pre-service training and the provision of other training services to a particular circuit, region or geographical area.

~~(42)~~ “Waiver Plan” refers to an individualized, written contract between the Child Protection Professional, his or her supervisor, and a Certified Child Welfare Trainer, which, when the waiver process is implemented, must be developed within five (5) business days of the individual having passed the waiver test. The “Waiver Plan” must address any identified training or activities needed by the Child Protection Professional in order to fulfill certification ~~(or recertification)~~ requirements, must assign responsibilities to each party, and must include specific time frames for completion.

~~(43)~~ “Waiver Process” refers to the procedure whereby an individual who meets the minimum educational and experiential criteria of a Child Protection Professional is may be eligible, at the discretion of the employing agency, to take a “Waiver Test” and enter into an individualized “Waiver Plan,” usually in lieu of requiring that the individual participate in all of the pre-service training and post-test requirements of Phase I. There is no waiver procedure for any part of Phase II, the Performance Assessment/Skills Demonstration portion of the

certification process; similarly, there is no waiver procedure for the 48 hours of professional development (in-service) training required every three (3) years for recertification.

(44) "Waiver Test" refers to the competency-based, criterion-referenced, proctored, written or on-line test which, at the discretion of the employing agency, may be administered to an individual whose credentials and qualifications meet the minimum educational and experiential criteria of a Child Protection Professional as outlined in Rule ~~65C-33.010~~ 65C-33.011, F.A.C. The waiver test is designed to measure the level of the individual's basic knowledge of Florida child protection laws, principles and policies, and to assess the individual's ability to appropriately integrate and apply fundamental child welfare/child protection concepts in his or her decision-making, when determining how best to meet the safety, permanence and well-being needs of a child. The waiver test must be administered within ~~ten (10) five (5)~~ ten (10) business days of the individual's start date in the position into which he or she was hired.

Rulemaking Authority 402.40, ~~402.731(1) 39.0121~~ FS. Law Implemented 402.40, 402.731(1) FS. History—New \_\_\_\_\_.

65C-33.002 Certification for Child Protection Professionals.

(1) It is the responsibility of each employing agency to ~~maintain~~ ensure the integrity of the training and certification process, by ensuring employee compliance with this Rule and by establishing agency policies that reflect the fact that timely child protection certification is a condition of employment for those positions requiring certification.

(2)(a) It is the supervisor's responsibility to support the evolving capacity of each individual under his or her supervision to effectively and competently carry out his or her job responsibilities.

(b) On an on-going basis, the supervisor must assess the individual's level of job-related knowledge, skills, abilities and ~~priorities, values and attitudes~~ and must identify, arrange for, or provide additional assistance as necessary to help enhance the individual's overall development as a proficient Child Protection Professional.

(3) Absent special ~~or other~~ circumstances, every Child Protection Professional is required to be certified within one (1) year of the date of hire, or within one year of having successfully completed either the post-test or the waiver test for his or her position classification, whichever is earlier. Unless accommodations are made by the employing agency to address an individual's special ~~or other~~ circumstances, certification is valid for a period of no longer than three (3) years.

(a) ~~At the discretion of the employing agency,~~ Arrangements may be made to accommodate an individual's special ~~or other~~ circumstances in those cases in which the individual is unable to assume full or partial responsibility for a

caseload, or fulfill the attendance requirements of pre-service or in-service training due to a medical, personal, family, or other emergency situation beyond the individual's control.

(b)1. Accommodation includes extending the individual's pre-service or in-service training period, approving limited additional time within which the individual can become certified or recertified, or effecting such other accommodation as is reasonable based upon the individual's situation.

2. ~~At the discretion of the employing agency,~~ a Accommodation of an individual's special ~~or other~~ circumstances may be restricted to a specified time frame, or may extend until such time as the individual is able to fully resume his or her regular duties; the individual no longer occupies a position requiring certification; the individual is no longer employed by the agency; or the agency can no longer provide the accommodation.

(c) All individuals whose certification or recertification is or is anticipated to be delayed due to the accommodation of special circumstances shall be required to enter into a Certification Plan. ~~On a case-by-case basis, and at the discretion of the employing agency, individuals affected by special or other circumstances, as well as those not similarly affected, may be required by the employing agency to enter into a Certification Plan.~~

1. The agency-designed Certification Plan must identify the roles and responsibilities of all plan participants, and must set forth specific training and other job performance requirements which must be met in order for the Trainee or Child Protection Professional to achieve certification. The plan must address each of the necessary steps, and must include a specific time frame (not to exceed 60 days from one year after the individual's having successfully completed the post-test or the waiver test) within which the individual must satisfy the training and other job performance requirements in order to achieve certification, or be removed from any position requiring that such certification. ~~It is the responsibility of the employing agency to help ensure that the Trainee or Child Protection Professional has access to the resources and supports necessary for his or her successful completion of the certification process.~~

2. It is the responsibility of the employing agency to help ensure that the Trainee or Child Protection Professional has access to the resources and supports necessary for his or her successful completion of the certification process. ~~A Certification Plan is not required for every Trainee or Child Protection Professional; it is applicable only in those cases where, in the judgment of the employing agency, compelling circumstances exist that warrant accommodations such as supplementary or remedial training, additional time allowance(s) for the fulfillment of certification requirements, or any other special considerations to be afforded the individual in order to provide him or her with every possible opportunity for success.~~

(4) Certification is based upon successful completion of both the pre-service curriculum component and the Performance Assessment element of the State of Florida's Child Protection Professional Certification Program, as well as additional specific established requirements for each position classification, if any.

(5) Each type of Child Protection Certification has a different training, testing and certification requirement, all of which are established by the Department.

(6) There are ~~11~~ ten types of certification designations for Child Protection Professionals:

- (a) Child Protective Investigator;
- (b) Child Protective Investigations Supervisor;
- (c) Child Protective Investigations Specialist/~~Quality Assurance Professional, Field Trainer~~);
- (d) Child Protection Case Manager;
- (e) Child Protection Case Management Supervisor;
- (f) Child Protection Case Management Specialist/~~Quality Assurance Professional/Field Trainer~~;
- (g) Child Protection Licensing Counselor;
- (h) Child Protection Licensing Supervisor;
- (i) Child Protection Licensing Specialist/~~Quality Assurance Professional/Field Trainer~~;
- (j) Child Protection Specialized Services Professional;
- (k)~~(j)~~ Child Welfare Trainer.

(7) ~~Other types of~~ Certification designations may be modified or additional certification designations may be authorized by the Department of Children and Families through the rulemaking process.

(8) As determined by the Department, each certification type shall be indicative of core competencies achieved within the job responsibilities of each respective position classification and be so designated.

(9) Certification is a requirement for individuals in the following positions:

- (a) Child Protective Investigator;
- (b) Child Protective Investigations Supervisor (which includes any individual, regardless of position title, who is primarily responsible for providing direct supervision of Child Protective Investigators);
- (c) Child Protection Case Manager;
- (d) Child Protection Case Management Supervisor (which includes any individual, regardless of position title, who is primarily responsible for providing direct supervision of Child Protection Case Managers);
- (e) Child Protection Licensing Counselor (or any individual, regardless of position title, who conducts parent preparation pre-service training for prospective caregivers, or any individual who conducts home visit assessments for the purpose of completing foster or adoptive home studies of prospective caregivers);

(f) Child Protection Licensing Supervisor (which includes any individual, regardless of position title, who is primarily responsible for providing direct supervision of Child Protection Licensing Counselors, or who conducts parent preparation pre-service training for prospective caregivers, or who conducts home visit assessments for the purpose of completing foster or adoptive home studies of prospective caregivers, or who approves, by signature, foster or adoptive home studies of prospective caregivers);

(g) Child Welfare Trainer.

(10) Certification is optional for individuals in the following non-supervisory positions; ~~at the discretion of the employing agency~~:

(a) Child Protective Investigations Specialist;~~Quality Assurance Professional; Field Trainer~~; (which includes any individual, regardless of position title, who performs the same or substantially similar function as a Program Specialist, Quality Assurance Professional, Field Trainer, Job Coach, or is otherwise responsible for evaluating the job performance of a Child Protective Investigator, or for providing case oversight or review in the program area of Child Protective Investigations);

(b) Child Protection Case Management Specialist;~~Quality Assurance Professional; Field Trainer~~; (which includes any individual, regardless of position title, who performs the same or substantially similar function as a Program Specialist, Quality Assurance Professional, Field Trainer, Job Coach, or is otherwise responsible for evaluating the job performance of a Child Protection Case Manager, or for providing case oversight or review in the program area of Child Protection Case Management);

(c) Child Protection Licensing Specialist; (which includes any individual, regardless of position title, who performs the same or substantially similar function as a Program Specialist, Quality Assurance Professional, Field Trainer, Job Coach, or is otherwise responsible for evaluating the job performance of a Child Protection Licensing Counselor, or for providing case oversight or review in the program area of Child Protection Licensing). Certification is optional for individuals in this category unless the individual is primarily responsible for providing direct supervision of Child Protection Licensing Counselors, or conducts parent preparation pre-service training for prospective caregivers; or conducts home visit assessments for the purpose of completing foster or adoptive home studies of prospective caregivers; or approves, by signature, foster or adoptive home studies of prospective caregivers. For individuals performing these functions, certification requirements shall apply.

(d) Child Protection Specialized Services Professional (which includes any individual, regardless of position title, who performs a very specific activity for the employing agency, such as placements; locating missing children; etc.).

Certification is optional for individuals in this category unless the individual is responsible for direct supervision of persons in positions requiring certification.

(11) The employing agency is responsible for ensuring that all certification requirements are met within the specified time frame for those positions requiring certification.

(a) To be certified, each Child Protection Professional candidate must meet the training and certification requirements for his or her position classification (Protective Investigations; Case Management; Licensing; Child Welfare Trainer) and certification designation (e.g., Protective Investigator; Supervisor) within one (1) year of the date of hire, or the date of having successfully completed the waiver or post-test for the position, whichever is earlier ~~later~~, absent special ~~or other~~ circumstances accommodated by the employing agency.

1. Regardless of an individual's prior experience or length of time in a position requiring child welfare/child protection certification as a condition of employment, any individual who, prior to the effective date of this rule, has been functioning for any length of time in a position which requires such certification as set forth in this rule, and in which he or she has not achieved certification in that specific position classification (i.e., Protective Investigations; Case Management; Licensing) and in that specific certification designation (e.g., Case Manager; Protective Investigations Supervisor) within one (1) year of the date of hire, or the date of having successfully completed the waiver or post-test for the position, that individual is hereby provided with one (1) year from the effective date of this rule within which he or she shall successfully complete the activities necessary for certification in that specific position classification and certification designation (including both the casework and interpersonal components of the appropriate Performance Assessment for all individuals, in addition to the Office of Family Safety-approved "Supervising for Excellence" training for individuals in supervisory positions), and shall achieve such certification no later than one (1) year from the effective date of this rule, or be removed from any position requiring such certification. For individuals in this situation, a waiver test is not necessary.

(b) Prior to successfully completing the waiver or post-test, the individual is considered to be a trainee, and, as such, under no circumstances shall he or she carry a caseload, be assigned responsibility for any cases, ~~be responsible for any assessment of risk~~, conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, or otherwise have ~~either~~ primary ~~or secondary~~ responsibility for any investigation, child, family or case.

(12) In those instances in which an individual, by virtue of promotion or other means of transfer into another position is actively, concurrently certified in more than one position

classification (Protective Investigations; Case Management; Licensing) or more than one certification designation (e.g., Protective Investigator; Supervisor), the individual may hold two or more such certifications simultaneously ~~until recertification, upon which he or she may be recertified in only the one position classification and the one certification designation in which he or she is currently employed.~~

(a) Individuals shall not be initially certified in positions which they do not currently occupy, however, they may be eligible for recertification in the positions they held previously, as long as they meet the requirements for recertification.

(b) There is no limit to the number of position classifications or certification designations in which an individual may be recertified, and no limit to the length of time an individual may hold multiple Child Protection certifications, as long as the individual continues to meet the following recertification requirements:

1. Achieved initial certification in each of the position classifications or certification designations as indicated by possession of a valid, original Department-issued certificate, and

2. Is currently employed in a Florida child welfare/child protection position in good standing, and

3. Has not been decertified for cause in any position requiring certification, and

4. Participates in and maintains documentation in the SkillNET system (or other Department-approved tracking database) of a minimum of 48 hours of professional development training every three (3) years for recertification in each of the certifications held. Each separate recertification requires 48 hours of professional development training hours, as addressed in Rule 65C-33.008, F.A.C.

(13) The employing agency is responsible for the internal ~~monitoring tracking and documentation~~ of all trainings, certification activities and certification status of every Child Protection Professional employed by the agency.

(a) The official tracking system that shall be used by the Department, the Training Academy, and all agencies to document training is SkillNET (or other Department-approved tracking database).

(b) All training, testing and certification information must be current and maintained in SkillNET (or other Department-approved tracking database).

1. The Training Academy ~~entity~~ is responsible for entering and maintaining pre-service course and testing information in the SkillNET (or other Department-approved tracking database) system.

2. The Office of Family Safety is responsible for verifying certification information in the SkillNET (or other Department-approved tracking database) system, prior to certificate issuance.

(14)(a) Upon any of the following: an individual's loss of or inability to achieve certification; promotion, demotion or transfer to a position not requiring certification; decertification; termination from the position or agency; or other such status-changing event, the employing agency Training Manager or designee shall notify the Training Academy in writing of the individual's status within five (5) ~~three (3)~~ business days of the effective date of the event.

(b) Within two (2) business days of same notification, the Training Academy will update the individual's status in the SkillNET or other Department-approved tracking database system.

Rulemaking Authority 402.40, 402.731(1), ~~39.0121~~ FS. Law Implemented 402.40, 402.731(1) FS. History--New \_\_\_\_\_.

65C-33.003 Child Welfare Pre-Service Training.

(1) The Department-approved State of Florida Child Welfare Pre-Service Training Program curriculum is primarily comprised of classroom instruction, but may also include opportunities for on-line learning as well as agency-specific field activities.

(2) The pre-service classroom instruction involves the delivery and facilitation of approved, mandatory child welfare/child protection curricula by at least one Certified Child Welfare Trainer in the classroom at all times.

(a) At the discretion of the training entity, some pre-service classes may include guest speakers as subject matter experts regarding relevant topics; however, although agency or area-specific information may be added to the curriculum, nothing in the existing, Department-approved curriculum may be deleted or revised.

(b) With the exception of interns as referenced in subsection 65C-33.003(9), F.A.C., a training entity or employing agency may arrange for non-employed individuals to participate in pre-service classroom instruction, however these individuals shall not be administered the waiver test, pre-test, or post-test.

(c)(b)1. Pre-service classroom instruction may be observed by individuals involved in the administration, delivery, design, or oversight of pre-service training for purposes of assessing the effectiveness of training delivery, or evaluating the need for enhancement of curriculum design. Advanced notice of the observation may be provided, but is not required.

2. Although classroom observation shall not require prior authorization from the agency training entity, no more than two (2) individuals shall observe the same class session at any one time, and the observer(s) shall neither disrupt the class nor interact with the trainer(s) or class participants at any time while the class is in session.

(3) There is a 100% mandatory attendance requirement for all pre-service classroom instruction, absent special ~~or other~~ circumstances documented and accommodated by the employing agency or the training entity.

(a) It is the responsibility of the employing agency to ensure that each trainee attends and completes all of the pre-service classroom, on-line and field instruction pertinent to and required for his or her position classification, ~~(Child Protective Investigations or Child Protection Case Management).~~

(b) Any missed training classes, modules or material must be completed by the trainee prior to the trainee being eligible to take the post-test.

(4) The training entity is responsible for establishing and implementing a code of conduct for class participants to follow during all pre-service classroom instruction. This code of conduct shall, at a minimum, address trainee punctuality; courtesy and professionalism in the classroom; and respect for others' opinions.

(5) On-line Learning. When opportunities for on-line learning are included as part of the pre-service training, certain approved course content may be presented in a web-based format, enabling each participant to assimilate the information at an individual pace, thereby helping to meet the unique needs and accommodate the different learning styles of each trainee.

(6) Field Activities. As the classroom training experience helps introduce trainees to basic competencies, various supervised, agency-specific field activities, when included as part of the pre-service training, can help illustrate and augment classroom training content as well as any available and accessible on-line learning opportunities, by providing each trainee with a forum within which to observe, question and practice on-the-job application of the concepts learned in classroom training, while under guidance.

(a) It is the responsibility of the employing agency to ensure that, if field activities are provided to trainees during the pre-service training, the activities are overseen/supervised and reviewed by Certified Child Protection Professionals ~~such as Supervisors, Specialists, Quality Assurance Professionals, Field Trainers, or other certified individuals performing similar functions or having similar responsibilities within the employing agency.~~

(b) At the discretion of the supervisor, field activities may include opportunities for the trainee to shadow or be mentored by experienced certified staff, and may take place in the agency unit or in the field, as long as the trainee is accompanied by and under the direct and constant supervision of a Certified Child Protection Professional at all times.

(7) Each trainee must successfully complete all pre-service training requirements for his or her position classification prior to taking the post-test.



(8)(a) Under no circumstances shall any trainee carry a caseload, be assigned responsibility for any cases, be responsible for any assessment of risk, conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, or otherwise have either primary or secondary responsibility for any investigation, child, family or case, until successful completion of the pre-service training, including having passed the post-test.

(b) In order to meet each trainee's need for a variety of opportunities in the practical application of concepts learned in pre-service training, a trainee may be assigned as a "secondary" worker (investigator, case manager or licensing counselor) in the FSFN or other Department-approved system to no more than four (4) active cases during his or her pre-service training, for the sole purpose of performing and practicing newly-learned skills while accompanied and supervised at all times by a Certified Child Protection Professional. Although assigned as "secondary" worker, the trainee shall not in any way bear ultimate responsibility for any aspect of the case. Every piece of casework completed by the trainee shall be reviewed and approved by either the primary worker on the case, the supervisor of the primary worker on the case or other Certified Child Protection Professional, prior to the piece of casework being included and saved in the active case file or FSFN case record.

(9) Interns.

(a) Interns may be utilized to assist Child Protection staff in the performance of their job duties, however, every intern must be accompanied by and under the direct and constant supervision of a Certified Child Protection Professional at all times, until the intern successfully completes the pre-service training (including passing the post-test).

(b) Any intern who will conduct any casework or have any client contact is ~~At the discretion of the agency, an intern may be~~ required to attend pre-service training, fulfill the same on-line and field training requirements, and be expected to conduct himself or herself in the same responsible manner as other trainees employed by the agency.

1. ~~Any interns who attend~~ the pre-service training will remain in trainee status for the duration of the pre-service training. As a trainee, under no circumstances shall an intern carry a caseload, be assigned responsibility for any cases, conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, or otherwise have primary responsibility for any investigation, child, family or case, until successful completion of the pre-service training, including having passed the post-test ~~be assigned any cases, be responsible for any assessment of risk, conduct any unaccompanied or unsupervised home visits, perform any home studies or~~

~~interviews of children or adults, or otherwise have either primary or secondary responsibility for any investigation, child, family or case.~~

2. The agency shall develop a policy addressing, at a minimum, the scope, limitations and required supervision of interns who have successfully completed the pre-service training, with regard to such issues as type of case assignments, caseload size, continuity of service provision to families, and child safety.

Rulemaking Authority 402.40, ~~402.731(1), 39.0121~~ FS. Law Implemented 402.40, ~~402.731(1)~~ FS. History—New \_\_\_\_\_.

65C-33.004 Pre-Service Training Assessments.

(1) Pre-Test.

(a) The training entity is responsible for the administration of the pre-test. Individuals who may take the pre-test as part of the pre-service training curriculum are include those persons hired by the employing agency in a Child Protection Professional position, as well as interns working with the agency in a paraprofessional capacity.

(b) The pre-test shall not be authorized to be used as a study guide, as an evaluation tool to assess trainees' comprehension of material covered during pre-service training in any type of preparation for the post-test, or for any other purpose(s) for which it has not been validated and approved. An individual may take the pre-test only once during any one period of employment, or once during any one pre-service training cycle in those instances where an individual would be required to attend pre-service training more than once during any one period of employment.

(c) ~~The training entity is responsible for the scoring and dissemination of the results of the pre-test is scored by the SkillNET system, and upon conclusion of the pre-test, the test proctor may provide each trainee with his or her pre-test score. Each employing agency may develop its own protocols with regard to the dissemination of an individual's pre-test score to appropriate personnel within the agency. The employing agency may utilize have access to the trainee's pre-test score for purposes of trainer and trainee performance evaluations by comparing the trainee's pre- and post-test scores, however, neither the pre-test nor the pre-test score shall is not to be used for any type of pre-employment screening or for any other purpose(s) for which it has not been validated and approved.~~

(2) Post-Test.

(a)1. The training entity is responsible for the administration of the post-test, and for ensuring that there is adequate and appropriate technical support available at or within close proximity to the testing site, in the event of emergencies.

2. Disruptions During Testing.

a. Should equipment failure, building disruption, or other unforeseen circumstance occur during the course of the administration of the post-test, and should the failure affect

one, several, or all participants involved in taking the test, arrangements shall be made by the training entity to re-administer the post-test as soon as practical to those participants affected by the disruption.

b. The re-administration of the post-test to the affected participant(s) must be conducted in a manner consistent with the time and proctoring standards followed in the initial post-test administration, ensuring that all participants are treated fairly and provided with equal opportunities for successful post-test completion.

c. For issues not addressed above which arise during the administration of the post-test, the trainer/test proctor shall contact the Training Academy for immediate guidance. The Training Academy shall keep a record of these issues/requests detailing the date and time of the call; the name, title and agency of the caller; the nature of the issue; and the resolution provided by the Academy. A copy of this log will be provided to the Department on a quarterly basis, or as requested.

(b) Prior to administering the post-test, the training entity is responsible for verifying each trainee's eligibility to take the post-test, by ensuring that every trainee has satisfactorily completed all pre-service training requirements, including all classroom instruction as well as any required on-line courses and applicable field activities for his or her position classification. Individuals who may take the post-test are those persons hired by the employing agency in a Child Protection Professional position, as well as interns working with the agency in a paraprofessional capacity.

(c) The training entity is responsible for addressing and accommodating the special testing needs of a trainee, by prior discussion with the trainee and the supervisor, in order to determine if reasonable accommodation is warranted and able to be afforded the trainee, while ensuring that all pre-service participants are treated fairly and provided with equal opportunities for successful post-test completion.

~~(d)1. The training entity is responsible for the scoring and dissemination of the results of the post-test is scored by the SkillNET system, and upon conclusion of the post-test, the test proctor is responsible for providing each trainee with his or her post-test score. Each employing agency may develop its own protocols with regard to the dissemination of an individual's post-test score to appropriate personnel within the agency.~~

~~2.a. Post test scores are confidential; other than the employee, the only individuals or agencies who may have access to an employee's post test score without the employee's prior written consent are the training entity and the Training Academy.~~

~~b. Upon conclusion of the post test, the employee shall be provided with his or her score; however, the employee's supervisor shall be notified only as to whether or not the employee passed the post test and, if not, whether or not the trainee is eligible to retake the post test once, by virtue of his or her score.~~

(3) Post-Test (First Attempt).

(a) A trainee must achieve the minimum established passing score or higher on the post-test in order to progress to Phase II. The minimum established passing score of the post-test is determined by the Department and shall be posted on the Training Academy website.

~~(b) At the discretion of the employing agency, Any trainee who scores one (1) to ten (10) four points below the minimum passing score on the first attempt of the post-test may either take the post-test one (1) additional time, or be removed from the position no later than ten (10) business days of receipt of the post-test results.~~

1. If re-taking the post-test, the re-test must be administered no later than 15 business days following the date of the initial post-test, absent special ~~or other~~ circumstances accommodated by the employing agency or the training entity.

2.a. If the employing agency authorizes the trainee to re-take the post-test, prior to scheduling such a re-take of the post-test, a Remedial Training Plan shall must be developed between the trainer, the trainee, and his or her supervisor, and a Certified Child Welfare Trainer, to address the trainee's area(s) of deficiency in the pre-service training modules or on the post-test and a plan for remediation. It is the responsibility of the trainee's supervisor to initiate development of the Remedial Training Plan, with input from the trainer and trainee.

b. The agency-designed Remedial Training Plan must identify the roles and responsibilities of all plan participants, must address the trainee's major area(s) of deficiency on the post-test, and must include a schedule of dates and times during which specific portions of the pre-service curriculum (as well as any other relevant training materials) will be reviewed with the trainee in an effort to ensure that the individual is provided with access to all of the resources and supports available to help increase the likelihood of successful completion of the re-take of the post-test.

~~(c)1. At the discretion of the employing agency, aAny trainee who scores eleven (11) five or more points below the established minimum passing score on the first attempt of the post-test may either take the entire pre-service training again during the next training cycle, or be removed from the position no later than ten (10) business days after receipt of the post-test results.~~

2. If retaking the entire pre-service training, the trainee shall remain in trainee status, and therefore shall not carry a caseload, be assigned responsibility for any cases, ~~be responsible for any assessment of risk,~~ conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, or otherwise have ~~either~~ primary ~~or secondary~~ responsibility for any investigation, child, family or case while in trainee status.

(4) Post-Test (Second Attempt):

(a) For those trainees re-taking the post-test, the employing agency shall make arrangements for the second attempt of the post-test to be administered within 15 business days following the date of the initial post-test, absent special ~~or~~ other circumstances accommodated by the employing agency or the training entity.

(b)1. ~~At the discretion of the employing agency, Any~~ trainee who fails to achieve the minimum passing score on the second attempt of the post-test must either take the entire pre-service training again during the next training cycle, or be removed from the position within ten (10) business days after receipt of the post-test results.

2. If retaking the entire pre-service training, the trainee shall remain in trainee status, and therefore shall not carry a caseload, be assigned responsibility for any cases, ~~be responsible for any assessment of risk~~, conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, or otherwise have ~~either primary or secondary~~ responsibility for any investigation, child, family or case while in trainee status.

Rulemaking Authority 402.40, ~~402.731(1), 39.0124~~ FS. Law Implemented 402.40, 402.731(1) FS. History–New \_\_\_\_\_.

65C-33.005 Phase II of Child Welfare Training.

(1)(a) A trainee must successfully complete all of the required pre-service training and pass the post-test (or waiver test) in order to progress to Phase II as a Child Protection Professional.

(b) Any Child Protective Investigator, Case Manager, or Licensing Counselor who has successfully completed either the waiver test (and entered into a waiver plan), or the pre-service training (including having passed the post-test), is considered to be a Child Protection Professional, and, as such, may perform all tasks required by the position held, while completing his or her certification process.

(c) Any Child Protective Investigations, Case Management, or Licensing Supervisor or Specialist who has successfully completed either the waiver test (and entered into a waiver plan), or the pre-service training (including having passed the post-test), is considered to be a Child Protection Professional, and, as such, may perform all tasks required by the position held while completing his or her own certification process, with the exception of:

1. Performing 2nd Party Reviews of investigative cases, which non-certified individuals shall not do; and,

2. Serving as either a first-tier or second-tier evaluator on any Performance Assessment, which individuals not certified as Supervisors, Specialists or Child Welfare Trainers shall not do.

(2)(a) Upon successful completion of either the waiver test, or the pre-service training requirements and the post-test, each Child Protective Investigator, Case Manager and

Licensing Counselor ~~Child Protection Professional~~ shall be granted caseload protection for 30 calendar days, during which time a training caseload of a reduced number of investigations (for Child Protective Investigators), a reduced number of cases (for ~~Child Protection~~ Case Managers), or a reduced number of foster family home studies (for ~~Child Protection~~ Licensing Counselors) will be provided to the new Child Protection Professional.

(b) The employing agency shall develop a policy which addresses the establishment of a training caseload range ~~(pursuant to the following guidelines)~~, specifying both the maximum number as well as the type of investigations, cases, or home studies to which a new Child Protection Professional may be assigned as either primary or secondary worker within 30 calendar days of having passed the waiver test or post-test.

1. The training caseload for Child Protective Investigators should be limited to no more than four (4) two (2) open, active investigations, and shall not exceed eight (8) open, active investigations at any time during the 30 calendar days following the date the individual passed the waiver or post-test; ~~the number of children on the training caseload should not exceed ten (10).~~

2. The training caseload for Child Protection Case Managers should be limited to no more than five (5) open, active cases, and shall not exceed ten (10) children at any time during the 30 calendar days following the date the individual passed the waiver or post-test; ~~the number of children on the training caseload should not exceed ten (10).~~

3. The training caseload for Child Protection Licensing Counselors should be limited to no more than three (3) open, active home studies at any time; the number of licensed foster homes on the training caseload ~~shall~~ should not exceed five (5) at any time during the 30 calendar days following the date the individual passed the waiver or post-test.

(3) After the 30 calendar day period of caseload protection, the caseload of a new Child Protection Professional may be increased gradually over time, based upon the ongoing assessment of the individual’s developing knowledge, skills, ~~abilities and priorities, values and attitudes~~ by the Supervisor and other designated certified individuals, Specialist, Trainer, or other certified individual performing similar functions or having similar responsibilities within the employing agency.

Rulemaking Authority 402.40, ~~402.731(1), 39.0124~~ FS. Law Implemented 402.40, 402.731(1) FS. History–New \_\_\_\_\_.

65C-33.006 Performance Assessment.

(1) The employing agency is responsible for the administration, tracking and oversight of the Performance Assessment.

(2) Every agency shall utilize the core standardized, competency-based skills evaluation instrument (“Performance Assessment”) approved ~~developed~~ by the Department, in order to address core competency elements by objectively assessing

and measuring each candidate's proficiency in executing identified key activities essential to and representative of the responsibilities and duties of the individual's position, when performed as mandated by statute, rule and policy within required time frames.

(3)(a) Each component of the Performance Assessment is designed to address those fundamental competency elements pertinent to the job responsibilities of each respective position classification (Protective Investigations; Case Management; Licensing), and each Child Protection Professional shall be evaluated in terms of the primary function(s) of the position which he or she occupies.

(b) Although every agency must utilize the standard Performance Assessment ~~approved~~ developed by the Department, each agency may incorporate into the Performance Assessment additional components which reflect the agency's own System of Care or Quality Assurance measures.

1. These additions must not change the core elements of the Assessment, and although they may be more prescriptive than statute, rule and Department policy, they may not be less so.

2. The agency-specific additions to the core Performance Assessment are not required to be forwarded to the Office of Family Safety for approval prior to use.

(4) There are two portions of the core Performance Assessment; ~~one the first~~ is the casework portion, which includes an evaluation of actual case documents, and the ~~other second~~ is the interpersonal skills portion, which includes an evaluation of a professional interaction.

(5)(~~a~~) There is no requirement as to which component of the Performance Assessment is evaluated first, the casework or the interpersonal skills portion, provided that all evaluations of each component (including any re-takes, if necessary) are completed no later than one (1) year from the date of hire or the date of the candidate's successful completion of the waiver or post-test, whichever is earlier within the established "window" period.

(b) ~~Absent special or other circumstances, the "window" period during which all portions of a candidate's initial Performance Assessment must be completed extends from no sooner than 6 months from the date of the candidate's successful completion of the waiver or post test, to no later than (9) months from the date of the individual's waiver or post test.~~

(6) Each Child Protection Professional shall have two (2) opportunities to successfully complete all portions of the Performance Assessment.

(a) After successful completion of all of the required classroom and field training provided as part of the State of Florida Child Welfare Pre-Service Training Program (or

completion of the individual's waiver plan, if applicable), and upon approval of the candidate's supervisor, the candidate is considered eligible to take the Performance Assessment.

(b) Although there is no set time frame during which the candidate must begin the Performance Assessment process, all evaluations of each component of the Performance Assessment (including any re-takes, if necessary) must be completed no later than one (1) year from the date of hire, or the date of the candidate's successful completion of the post-test or waiver test, whichever is earlier.

~~(7) Each portion of the Performance Assessment shall be evaluated by the candidate's immediate supervisor (if certified) and an independent evaluator.~~

~~(a) If the candidate's immediate supervisor is not yet certified, he or she may not conduct an evaluation of either portion of the Performance Assessment; a supervisor who is certified in the same position classification as that in which the candidate is seeking certification (Protective Investigations; Case Management; Licensing) must conduct the evaluation.~~

~~(b) Each agency shall establish a protocol within the following parameters for determining who shall serve as independent evaluators, and how assessments are to be assigned to those individuals serving as independent evaluators:~~

~~1. In order for an individual to serve as an independent evaluator, he or she must:~~

~~a. Be a Certified Child Welfare Trainer, or~~

~~b. Be a Certified Child Protection Professional, whose most recent certification is in the same position classification as that in which the candidate is seeking certification (Protective Investigations; Case Management; Licensing), and who is currently employed as a Supervisor, Specialist, Quality Assurance Professional, Field Trainer, or higher level position within the same program area as that of the candidate when possible (Protective Investigations; Case Management; Adoptions; Licensing).~~

~~2. The independent evaluator may be an individual from within the same employing agency as that of the candidate, or from another agency which performs the same or substantially similar child welfare/child protection work, provided that the individual meets the above criteria as an independent evaluator.~~

~~3. Under no circumstances shall an independent evaluator conduct an assessment of any candidate within his or her chain of command, or of any candidate with whom there may exist a personal relationship or conflict of interest.~~

~~4. Absent special or other circumstances, the same independent evaluator shall be responsible for evaluating a candidate's Performance Assessment in its entirety, including both the Casework and Interpersonal portions, as well as any agency specific additions to the assessment.~~

(7) Both the Casework and Interpersonal portions of the Performance Assessment shall undergo a two-tiered evaluation, whereby each portion is assessed by two (2)

evaluators, either internal or external to the employing agency, both of whom must be certified, and at least one of whom shall be an "independent evaluator" of the candidate's Performance Assessment (i.e., "independent" in that he or she is not in the candidate's chain of command). If certified as a supervisor, the candidate's supervisor may serve as the first-tier evaluator, but is not required to do so.

(a) If the candidate's immediate supervisor is not certified as a supervisor, he or she shall not serve as the first-tier evaluator for either the Casework or Interpersonal portions of the Performance Assessment; a certified supervisor or other evaluator certified at the supervisory or higher level (supervisor; specialist; trainer) must conduct the evaluation. When possible, the certified individual serving as an evaluator should be certified in the same program area of child protection expertise as that in which the candidate is seeking certification (e.g., Investigations; Case Management; Licensing).

(b) In order for an individual to serve as an independent evaluator, he or she shall:

1. Be a Certified Child Welfare Trainer, or

2. Be a Certified Child Protection Professional whose certification, when possible, is in the same position classification as that in which the candidate is seeking certification (Protective Investigations; Case Management; Licensing).

a. For certification candidates in the positions of Child Protective Investigator, Case Manager, Licensing Counselor, and Specialized Services Professional, an independent evaluator may be any individual with supervisory or higher level (i.e., Specialist; Trainer) certification.

b. For certification candidates in the position of Supervisor in any of the position classifications of Protective Investigations, Case Management, Licensing, or Specialized Services, an independent evaluator may be any individual with identical (i.e., Supervisor) or higher level (i.e., Specialist; Trainer) certification.

c. For certification candidates in the position of Specialist in any of the position classifications of Protective Investigations, Case Management, Licensing, or Specialized Services, an independent evaluator may be any individual with identical (i.e., Specialist) or higher level (i.e., Trainer) certification.

(c) Independent evaluators may be from within the same employing agency as that of the candidate, or from another agency which performs the same or substantially similar child welfare/child protection work, provided that the individuals meet the above independent evaluator criteria. Agency policy may include the assignment of more than one independent evaluator or the use of independent evaluation teams.

(d) An independent evaluator shall not conduct an assessment of any candidate within his or her chain of command, or of any candidate with whom there may exist a personal relationship or conflict of interest.

(e) If more than one independent evaluator is assigned, the same independent evaluator(s) shall not be required to evaluate both portions of a candidate's Performance Assessment (including any agency-specific additions); one independent evaluator may evaluate the Casework portion, and another evaluate the Interpersonal portion of the assessment.

(8) Casework Component of the Performance Assessment.

(a) For all positions and candidates for certification, each employing agency will establish Performance Assessment case selection procedures which may include identifying one "test" case per candidate, or a combination of several such cases per candidate, in order to determine an average rating of all standards. Case selection procedures may also include random or planned identification of the one or more "test" cases, which meet the established criteria for ~~Each employing agency will establish a protocol for determining how to select a case to be identified for~~ the casework component of the Performance Assessment, within the guidelines set forth in this rule for each candidate's position classification and certification designation.

(b)± The Performance Assessment enables child protection professionals to demonstrate their skills consistent with the specific tasks their jobs requires.

1. Each individual shall complete the casework component of the Performance Assessment that is most representative of or most closely matches his or her job responsibilities.

2. In those situations where an individual works in a "mixed" unit and performs several job functions, or works in a highly specialized unit and performs a very specific or limited job function, the individual will meet with his or her supervisor in order to determine which casework component of the Performance Assessment would be the most appropriate to complete for his or her job.

a. There are instances in which an individual's job duties are very specific and limited to one primary function for which there are no existing, Department-approved Performance Assessments that would provide an appropriate measure of the individual's knowledge, skills, abilities and priorities in performing his or her particular job (e.g., placements; locating missing children; etc.).

b. In these cases, if the agency requires that the individual be certified, the agency shall develop the casework component of a position-specific Performance Assessment, and shall submit same draft to the Office of Safety for review, comment and approval prior to its use.

1. All such position-specific Performance Assessments shall be designed to evaluate comparable criteria as that which is evaluated by the Department-approved Performance Assessments incorporated by reference herein, in terms of compliance with applicable statutes and rules, as well as quality of practice measures in each of the standards of Assessment, Documentation, and Planning.

2. For the interpersonal component, the Department will approve use of the interpersonal skills assessment for either client interaction (as approved for use by investigators, case managers, or licensing counselors), or for staff/peer interaction (as approved for use by supervisors and specialists), depending upon the individual's job function. The certification designation for individuals who successfully complete these Department-approved, position-specific Performance Assessments will be "Child Protection Specialized Services Professional".

(c) For all Performance Assessments, the casework component evaluation shall include a review of all documentation in both the paper case file (if any) and the electronic SACWIS (FSFN) record of the case.

(e)1. In those situations where it is anticipated or known that an evaluator may be unable to access or view documentation within the FSFN record, all documents, completed forms and information in the electronic FSFN or other SACWIS record of the case (FSFN) must be printed out and placed into the case file to be evaluated (or otherwise made accessible to all reviewers), prior to the scheduled starting date of the first tier supervisor's evaluation.

2. All casework conducted and documents prepared, included and evaluated as part of the casework portion of the Performance Assessment shall be representative of those casework activities and documents regularly required to be completed or reviewed as part of the candidate's typical job responsibilities. For Protective Investigator, Case Manager, Licensing Counselor, and Specialized Services Professional candidates, all documents evaluated shall be the sole work of the candidate.

3.2. No documents may be added to, removed from, or changed within either the electronic or printed case file once the Performance Assessment has begun.

(d) Absent special or other circumstances accommodated by the employing agency, the first-tier evaluator supervisor must begin his or her evaluation of the casework portion of the assessment no sooner than six (6) months from the date of the candidate's successful completion of the waiver or post test, and must conclude his or her evaluation within 10 business days of having the completed case file provided to him or her by the candidate or the candidate's supervisor.

(e) An independent evaluation of the casework portion of the Performance Assessment may be conducted only after the initial evaluation has been completed by the first-tier evaluator candidate's immediate supervisor.

1. The results of the first-tier supervisor's evaluation and rating of the casework portion of the Performance Assessment shall not be shared with the candidate, the independent evaluator or any other party prior to the independent evaluator having completed his or her evaluation.

2. Upon completion of his or her evaluation, (no later than 10 business days after having received all case materials), first-tier evaluator the supervisor will provide the case file to the independent evaluator for his or her evaluation, regardless of the results of the first-tier supervisor's evaluation.

(f) Each The independent evaluator has 10 business days from the date he or she has been provided with the completed case file to conclude his or her evaluation of the candidate's work products.

(9) Casework Component of the Performance Assessment for Child Protective Investigator, Child Protection Case Manager, and Child Protection Licensing Counselor candidates:

(a) Demonstration of core competency elements through skilled performance of minimum applicable key case activities as set forth in the Department-approved basic, core Performance Assessment designed for each position classification and certification designation is required for successful completion of the casework component of the Performance Assessment by candidates for Child Protective Investigator, Child Protection Case Manager, and Child Protection Licensing Counselor certification.

(b) All case activity must be completed pursuant to the applicable requirements of Chapter 39, F.S. and Chapters 65C-13, 65C-16, 65C-28, 65C-29, 65C-30, and 65C-31, Florida Administrative Code, including adhering to the applicable time frames as set forth in same statute and rules.

(c) Each case for evaluation shall be selected according to the employing agency's case selection criteria, and shall be a case which has (or had, in closed cases) been open for a sufficient length of time so that it includes all of the documents required to be evaluated by the Performance Assessment. All documents in the case selected to be evaluated shall have been personally completed by the candidate. The parameters for case selection for the following Performance Assessments are:

1. "Performance Assessment for Child Protective Investigator Candidates", CF-FSP 5344, August 2010, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

a. All documents in the case(s) selected to be evaluated shall have been personally completed by the candidate. The case shall be a closed judicial or non-judicial case with findings (closed no longer than within the past 60 days), which was staffed and referred for on-going case management service provision, and for which the candidate had primary responsibility.

b. The case may be an out-of-home case, where the child was removed and is living with a relative, non-relative, legal custodian, or foster parent; or the case may be an in-home case, where the child is living with one or both parents, under agency or court-ordered supervision.

2. “Performance Assessment for Child Protection Case Manager Candidates”, CF-FSP 5346, August 2010, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

a. All documents in the case(s) selected to be evaluated shall have been personally completed by the candidate. The case shall be an open or recently closed judicial or non-judicial case for which the candidate has/had primary responsibility. If open, the case must have been open for a sufficient length of time to enable the candidate to have developed each of the documents being assessed; if closed, the case can have been closed for no longer than 90 days prior to the start of the Performance Assessment process.

b. The case may be an out-of-home case, where the child was removed and is living with a relative, non-relative, legal custodian, or foster parent; or the case may be an in-home case, where the child is living with one or both parents, under agency or court-ordered supervision.

c. The preferred hierarchy of case selection for this Performance Assessment is as follows: The selected case shall be a judicial out-of-home case which is open, or which has been closed no longer than 90 days at the start of the Performance Assessment process. If the candidate’s work involves only (or primarily) judicial in-home cases, the case selected may be a judicial in-home case which is open, or which has been closed no longer than 90 days at the start of the Performance Assessment process. If the candidate’s work involves only (or primarily) non-judicial in-home cases, the case selected may be a judicial in-home case which is open, or which has been closed no longer than 90 days at the start of the Performance Assessment process.

3. “Performance Assessment for Child Protection Licensing Counselor Candidates”, CF-FSP 5348, August 2010, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

a. All documents in the case(s) selected to be evaluated shall have been personally completed by the candidate. Documentation to be reviewed shall be in FSFN or other Department-approved database or system if the licensed child-placing agency is unable to input, retrieve or otherwise access information in the FSFN system. Unless the candidate’s work involves only (or primarily) relicensing files, the case shall be an initial licensing file which has been completed in full, so that it includes all of the documents evaluated by the assessment (including, the home study, all supporting licensing documentation, and a recommendation to license), and all such documents being evaluated must have been personally completed by the candidate. The file can be one which has been submitted (or one which has not yet been submitted) for licensure.

b. If the candidate’s work involves only (or primarily) relicensing files, the file selected for the Performance Assessment may be a relicensing file, provided that the file is

an active (not closed) relicensing file of a foster home which has had at least one placement (not respite) for a minimum of 90 days during the past licensing year. All documents in the relicensing case(s) selected to be evaluated shall have been personally completed by the candidate.

(10) Casework Component of the Performance Assessment for Child Protective Investigations, Child Protection Case Management, and Child Protection Licensing Supervisor or Specialist candidates.

(a) These Assessments are designed for Supervisors or for any individual, regardless of position title, who is primarily responsible for directly supervising Child Protective Investigators, Child Protection Case Managers, Child Protection Licensing Counselors, or any other persons who provide direct client services of a protective investigations, case management or licensing nature; certification is required for all supervising individuals meeting this criteria.

(b) These Assessments are also designed for Specialists or for any individual, regardless of position title, who performs the same or substantially similar function as a Program Specialist, Quality Assurance Professional, Field Trainer, Job Coach, or who is otherwise responsible for evaluating the job performance of a Child Protective Investigator, Child Protection Case Manager, or Child Protection Licensing Counselor, or who is otherwise responsible for providing case oversight or review in the program area of investigations, case management or licensing, but who is not responsible for providing direct supervision. Certification is optional for individuals in these Specialist or similar positions.

(c) A candidate for Supervisor or Specialist certification shall conduct an analysis of the casework of a Child Protective Investigator, a Child Protection Case Manager, or a Child Protection Licensing Counselor.

(d) Demonstration of core competency elements through skilled critical analysis of the strengths, omissions and errors in the case, in addition to identification of the improvements needed in the work product(s) analyzed per the case criteria set forth in the Department-approved Performance Assessment designed for each position classification and certification designation is required for successful completion of the casework component of the Performance Assessment by a candidate for Supervisor or Specialist certification.

(e) All case activity must be analyzed using the applicable requirements of Chapter 39, F.S. and Chapters 65C-13, 65C-16, 65C-28, 65C-29, 65C-30, and 65C-31, Florida Administrative Code, including applicable time frames as set forth in same statute and rules.

(f) The Supervisor or Specialist candidate shall conduct his or her analysis on a case which shall be selected according to the agency’s case selection criteria. However, a candidate shall not be assigned to conduct his or her analysis on a case on which he or she provided direct supervision or a significant amount of consultation prior to the assessment. Cases may be

selected from any unit or program area caseload. The parameters for case selection for the following Performance Assessments are:

1. "Performance Assessment for Supervisor and Specialist Candidates in Child Protective Investigations", CF-FSP 5345, August 2010, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

a. For Child Protective Investigations Supervisor or Specialist candidates, the selected case must be a closed judicial or non-judicial case with findings (closed no longer than within the past 60 days), which was staffed and referred for on-going case management service provision.

b. The selected case may be an out-of-home case, where the child was removed and is living with a relative, non-relative, legal custodian, or foster parent; or the case may be an in-home case, where the child is living with one or both parents, under agency or court-ordered supervision.

2. "Performance Assessment for Supervisor and Specialist Candidates in Child Protection Case Management", CF-FSP 5347, August 2010, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

a. For Child Protection Case Management Supervisor or Specialist candidates, the selected case must be an open or recently closed judicial or non-judicial case which was staffed for service provision. If open, the case must have been open for a sufficient length of time to allow for the development of each of the documents being assessed; if closed, the case can have been closed for no longer than 90 days prior to the start of the Performance Assessment process.

b. The case may be an out-of-home case, where the child was removed and is living with a relative, non-relative, legal custodian, or foster parent; or the case may be an in-home case, where the child is living with one or both parents, under agency or court-ordered supervision.

c. The preferred hierarchy of case selection for this Performance Assessment is as follows: The selected case shall be a judicial out-of-home case which is open, or which has been closed no longer than 90 days at the start of the Performance Assessment process. If the candidate's work involves reviewing only (or primarily) judicial in-home cases, the case selected may be a judicial in-home case which is open, or which has been closed no longer than 90 days at the start of the Performance Assessment process. If the candidate's work involves reviewing only (or primarily) non-judicial in-home cases, the case selected may be a judicial in-home case which is open, or which has been closed no longer than 90 days at the start of the Performance Assessment process.

3. "Performance Assessment for Supervisor and Specialist Candidates in Child Protection Licensing", CF-FSP 5349, August 2010, incorporated by reference and available at [www.dcf.state.fl.us/publications/](http://www.dcf.state.fl.us/publications/).

a. For Child Protection Licensing Supervisor or Specialist candidates, unless the candidate's work involves reviewing only (or primarily) relicensing files, the selected case must be an initial licensing file which has been completed in full, so that it includes all of the documents evaluated by the assessment (including the home study, all supporting licensing documentation, and a recommendation to license). The file can be one which has been submitted or not yet submitted for licensure, and can be active/open or inactive/closed.

b. If the candidate's work involves reviewing only (or primarily) relicensing files, the file selected for the Performance Assessment may be a relicensing file, provided that the file is an open (or recently closed) relicensing file of a foster home which had at least one placement (not respite) for a minimum of 90 days during the past licensing year.

(11) For all Supervisor candidates, the successful completion of the "Supervising for Excellence" or other Department-approved classroom training as addressed in Rule 65C-33.007, F.A.C., is an additional requirement for certification; completion of the supervisory training is not a requirement for certification of Specialist candidates, unless they provide direct supervision.

(9) Casework Component of the Performance Assessment for Child Protective Investigator candidates:

(a) The case for evaluation shall be selected and agreed upon jointly by the candidate and his or her supervisor, and will be identified early enough in the case flow process for the candidate to personally complete all of the case documents being evaluated.

(b) The case shall be a judicial case with findings, which was staffed and referred for on-going case management service provision:

(c) The case may be an out-of-home case, where the child was removed and is living with a relative, non-relative, legal custodian, or foster parent; or the case may be an in-home case, where the child is living with one or both parents, under court-ordered supervision:

(d) I. Demonstration of core competency elements through skilled performance of the following minimum applicable key case activities is required for successful completion of the casework component of the Performance Assessment by a Child Protective Investigator candidate:

2. All of the following must be completed pursuant to statute, rule and policy, including adhering to applicable time frames:

a. Information gathering, to include:

I. On site, face to face visits as required (home; school; field);

II. Frequency of visits/contact with child, caregivers, and birth parent(s) as required, and as consistent with risk;

III. Level of intervention is consistent with risk;

IV. Thorough assessment of safety and on going risk factors at each home visit/contact;



V. Safety Plan (if applicable), addresses all identified safety concerns;

VI. Background records checks (as required);

VII. Relevant collateral contacts as required.

b. Documentation, to include:

I. Case record contents are well organized and easy to understand;

II. All demographic, participant, and relationship information in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is correct and current;

III. The case documentation in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is of good quality, accurate, relevant, well-written, and the entries have consistently been completed in a timely manner;

IV. The Pre-Disposition Study/Report (if applicable to the case being evaluated and completed solely by the candidate), meets all statutory and rule requirements; and the content is accurate, informative, timely and well-written;

V. The Home Study for relative or non-relative placement (if applicable) is of such quality that it: includes enough relevant information to support appropriate decision-making; addresses special placement or other considerations, including matching the strengths of the family to the needs of the child; addresses all safety and risk factors as appropriate; and includes all applicable background checks completed within required time frames.

e. Assessment, to include:

I. Child Safety Assessment (Initial) and Risk Assessment (On going): Includes complete information on all family/household members and other relevant individuals. The information in the Family Assessment(s) is of such quality that it: supports appropriate decision-making, addresses the strengths and needs of all family/household members and other significant individuals, addresses all safety and risk factors as appropriate, and includes all applicable background checks completed within required time frames. The initial and on-going assessment of the family and home address potential immediate safety and long-term risks to children (which includes present and emerging dangers, child vulnerability, and caregiver protective capacity implications), and the information is updated and documented with sufficient thoroughness at each home visit/contact to identify possible risks, and enable development of a safety plan if needed;

II. A Safety Plan (if applicable) is documented, and safety planning is addressed appropriately (if necessary);

III. The documentation of identified issues, strengths and needs provides accurate and relevant information for immediate and long-term safety planning, case planning, and permanency considerations;

IV. Case activity/documentation reflects that intervention was consistent with risk, that appropriate referral(s) were initiated in a timely manner, that services were provided consistent with needs in a timely manner, and that there was appropriate follow-up to verify service provision (including documentation as to why such identified/needed services were not provided or accessed);

d. Decision making, to include:

I. Both reasonable efforts and removal/placement activities were conducted consistent with risk and as required by statute and rule;

II. Case activity/documentation reflects that there was preparation for and participation in the Early Services Intervention/Case Transfer Staffing and other required staffings as appropriate; and that the information provided to receiving unit was timely, accurate and complete;

III. Case documentation reflects that there was discussion with the supervisor (and other high-level agency personnel, if necessary) regarding case issues, if applicable;

IV. Appropriate findings and case disposition.

(10) Casework Component of the Performance Assessment for Child Protective Investigations Professionals (Supervisor, Specialist, Quality Assurance Professional and Field Trainer candidates):

(a) A Supervisor, Specialist, Quality Assurance Professional or Field Trainer candidate shall conduct an analysis of the casework of a Child Protective Investigator.

(b) The candidate shall conduct his or her analysis on a case which is to be randomly selected and agreed upon jointly by the candidate and his or her supervisor, and is to be selected from the candidate's unit or program area caseload. Under no circumstances shall a candidate be assigned to evaluate a case on which he or she provided supervision or consultation prior to the assessment.

(c) The case shall be an open or closed judicial case with findings, which was staffed and referred for on-going case management service provision, and which has/had been open for a sufficient amount of time to enable the primary investigator on the case to have completed an initial and updated Child Safety Assessment, a Predisposition Study/Report (or similar document, containing similar information.), and a Home Study (if applicable).

(d) The case may be an out-of-home case, where the child was removed and is living with a relative, non-relative, legal custodian, or foster parent; or the case may be an in-home case, where the child is living with one or both parents, under supervision.

(e)1. Demonstration of core competency elements through skilled critical analysis of the strengths, omissions and errors in the case, in addition to identification of the improvements needed in the work product(s) analyzed per the following case criteria is required for successful completion of the casework

component of the Performance Assessment by a Child Protective Investigations Supervisor, Specialist, Quality Assurance Professional or Field Trainer candidate:

2. Each of the following must be analyzed using the requirements of statute, rule and policy (including applicable time frames and the guidelines set forth below:

a. Information gathering, to include:

I. On-site, face-to-face visits as required (home; school; field);

II. Frequency of visits/contact with child, caregivers, and birth parent(s) as required, and as consistent with risk;

III. Level of intervention is consistent with risk;

IV. Thorough assessment of safety and on-going risk factors at each home visit/contact;

V. Safety Plan (if applicable), addresses all identified safety concerns;

VI. Background records checks (as required);

VII. Relevant collateral contacts as required.

b. Documentation to include:

I. Case record contents are well-organized and easy to understand;

II. All demographic, participant, and relationship information in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is correct and current;

III. The case documentation in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is of good quality, accurate, relevant, well-written, and the entries have consistently been completed in a timely manner;

IV. The Pre-Disposition Study/Report (or similar document, containing similar information), if applicable to the case being evaluated, meets all statutory and rule requirements; and the content is accurate, informative, timely and well-written;

V. The Home Study for relative or non-relative placement (if applicable to the case) is of such quality that it: includes enough relevant information to support appropriate decision making; addresses special placement or other considerations, including matching the strengths of the family to the needs of the child; addresses all safety and risk factors as appropriate; and includes all applicable background checks completed within required time frames.

e. Assessment to include:

I. Child Safety Assessment (Initial) and Risk Assessment (On-going): Includes complete information on all family/household members and other relevant individuals. The information in the Family Assessment(s) is of such quality that it: supports appropriate decision-making, addresses the strengths and needs of all family/household members and other significant individuals, addresses all safety and risk factors as appropriate, and includes all applicable background checks

completed within required time frames. The initial and on-going assessment of the family and home address potential immediate safety and long-term risks to children (which includes present and emerging dangers, child vulnerability, and caregiver protective capacity implications), and the information is updated and documented with sufficient thoroughness at each home visit/contact to identify possible risks, and enable development of a safety plan if needed;

II. A Safety Plan (if applicable) is documented, and safety planning is addressed appropriately (if necessary);

III. The documentation of identified issues, strengths and needs provides accurate and relevant information for immediate and long-term safety planning, case planning, and permanency considerations;

IV. Case activity/documentation reflects that intervention was consistent with risk, that appropriate referral(s) were initiated in a timely manner, that services were provided consistent with needs in a timely manner, and that there was appropriate follow-up to verify service provision (including documentation as to why such identified/needed services were not provided or accessed);

d. Decision Making, to include:

I. Both reasonable efforts and removal/placement activities were conducted consistent with risk and as required by statute and rule;

II. Case activity/documentation reflects that there was preparation for and participation in the Early Services Intervention/Case Transfer Staffing and other required staffings as appropriate; and that the information provided to receiving unit was timely, accurate and complete;

III. Case documentation reflects that there was discussion with the supervisor (and other high level agency personnel, if necessary) regarding case issues, if applicable;

IV. Appropriate findings and case disposition:

(f)1. For Child Protective Investigator Supervisor candidates, the successful completion of the "Supervising for Excellence" curriculum as addressed in Rule 65C-33.007, F.A.C., is an additional requirement for certification;

2. A Child Protective Investigator Supervisor candidate shall successfully complete the Performance Assessment prior to participating in the required "Supervising for Excellence" training; the "Supervising for Excellence" curriculum is not a requirement for certification of Child Protective Investigations Specialist, Quality Assurance Professional, or Field Trainer candidates.

(11) Casework Component of the Performance Assessment for Child Protection Case Manager candidates:

(a) The case for evaluation shall be selected and agreed upon jointly by the candidate and his or her supervisor, and will be identified early enough in the case flow process for the candidate to personally complete all of the case documents being evaluated.

(b) The case shall be a judicial case with findings, which was staffed and referred for on-going case management service provision, and to which the candidate was assigned at the time of or shortly after the Early Services Intervention/Case Transfer Staffing, and for which the candidate has primary responsibility.

(c) The case may be an out of home case, where the child was removed and is living with a relative, non relative, legal custodian, foster parent or prospective adoptive parent; or the case may be an in home case, where the child is living with one or both parents, under court ordered supervision.

(d) 1. Demonstration of core competency elements through skilled performance of the following minimum applicable key case activities is required for successful completion of the casework component of the Performance Assessment by a Child Protection Case Manager candidate:

2. All of the following must be completed pursuant to statute, rule and policy, including adhering to applicable time frames:

a. Information gathering, to include:

I. Home visits (announced/unannounced) as required;

II. Frequency of visits/contact with child, caregivers and birth parent(s), as required;

III. Quality of engagement of child and parents during visits/contact;

IV. Level of supervision or other intervention is consistent with risk;

V. Thorough assessment of safety and on-going risk factors at each home visit/contact;

VI. Safety Plan (if applicable), addresses all identified safety concerns;

VII. Background records checks (as required);

VIII. Contacts are purposeful and address case plan goal appropriateness as well as progress/degree of compliance of all parties.

b. Documentation, to include:

I. Case record contents are well-organized and easy to understand;

II. All demographic, participant, and relationship information in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is correct and current;

III. The case documentation in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is of good quality, accurate, relevant, well written, and the entries have consistently been completed in a timely manner;

IV. The Pre-Disposition Study/Report (or similar document, containing similar information), if applicable to the case being evaluated and completed solely by the candidate, meets all statutory and rule requirements; and the content is accurate, informative, timely and well-written;

V. The Case Plan meets all statutory requirements for format, content, and timeframes; the content is accurate, timely, and well written; the goal is current and appropriate for the case; services are relevant and accessible; tasks are achievable and individualized; desired outcomes are measurable; and the case plan has been updated when appropriate;

VI. The Judicial Review Social Study Report meets all statutory requirements for format, content, and timeframes; the content is accurate, timely, and well written; and the document includes all attachments and assurances as required;

VII. The material included in the Home Study for relative or non-relative placement, if applicable (or either the Adoptive Home Study, or Child Study, as applicable for Adoption Case Managers), is of such quality that it: includes enough relevant information to support appropriate decision-making; addresses special placement or other considerations, including matching the strengths of the family to the needs of the child; background checks completed within required time frames addresses all safety and risk factors as appropriate; and includes all applicable-

e. Assessment, to include:

I. The initial Family Assessment (and updated Family Assessment, if applicable), includes complete information on all family and household members and other relevant individuals. The information in the Family Assessment(s) is of such quality that it: supports appropriate decision-making; addresses special placement or other considerations, including matching the strengths of the family to the needs of the child; addresses all safety and risk factors as appropriate; and includes all applicable background checks completed within required time frames. The initial and on-going assessments of the family and home address potential immediate safety and long term risks to children (which includes present and emerging dangers, child vulnerability, and caregiver protective capacity implications), and the information is updated and documented with sufficient thoroughness at each home visit/contact to identify possible risks, and enable development of a safety plan if needed;

II. A Safety Plan (if applicable) is documented, and safety planning is addressed appropriately (if necessary);

III. The documentation of identified issues, strengths and needs provides accurate and relevant information for immediate and long-term safety planning, case planning, and permanency considerations;

IV. Case activity/documentation reflects that intervention was consistent with risk, that appropriate referral(s) were initiated in a timely manner, that services were provided consistent with needs in a timely manner, and that there was appropriate follow up to verify service provision (including documentation as to why such identified/needed services were not provided or accessed).

d. Decision-Making, to include:

I. Placement activities (if required), considered the needs of the child, engaged the family (when appropriate), and were conducted consistent with risk and as required by statute and rule;

II. Case activity/documentation reflects that there was preparation for and participation in both internal (agency) and external (e.g., IEP) staffings as appropriate;

III. Case documentation reflects that there was discussion with the supervisor (and other high level agency personnel, if necessary) regarding case issues, if applicable.

IV. The case goal is current, appropriate and achievable.

(12) Casework Component of the Performance Assessment for Child Protection Case Management Professionals (Supervisor, Specialist, Quality Assurance Professional, and Field Trainer candidates).

(a) A Supervisor, Specialist, Quality Assurance Professional, or Field Trainer candidate shall conduct an analysis of the casework of a Case Manager.

(b) The candidate will conduct his or her analysis on a case which shall be randomly selected and agreed upon jointly by the candidate and his or her supervisor, and is to be selected from the candidate's unit or program area caseload. Under no circumstances shall a candidate be assigned to evaluate a case on which he or she provided supervision or consultation prior to the assessment.

(c) The case shall be a judicial case with findings, which was staffed and referred for on going case management service provision, and to which a Case Manager was assigned at the time of or shortly after the Early Services Intervention/Case Transfer Staffing, and for which a Case Manager continues to have primary responsibility.

(d) The case may be an out-of-home case, where the child was removed and is living with a relative, non-relative, legal custodian, or foster parent; or the case may be an in-home case, where the child is living with one or both parents, under court-ordered supervision.

(e) 1. Demonstration of core competency elements through skilled critical analysis of the strengths, omissions and errors in the case, in addition to identification of the improvements needed in the work product(s) analyzed per the following case criteria, is required for successful completion of the casework component of the Performance Assessment by a Child Protection Case Management Supervisor, Specialist, Quality Assurance Professional, or Field Trainer candidate:

2. Each of the following must be analyzed using the requirements of statute, rule and policy (including applicable time frames), and the guidelines set forth below:

a. Information gathering, to include:

I. Home visits (announced/unannounced) as required;

II. Frequency of visits/contact with child, caregivers and birth parent(s), as required;

III. Quality of engagement of child and parents during visits/contact;

IV. Level of supervision or other intervention is consistent with risk;

V. Thorough assessment of safety and on going risk factors at each home visit/contact;

VI. Safety Plan (if applicable), addresses all identified safety concerns;

VII. Background records checks (as required);

VIII. Contacts are purposeful and address case plan goal appropriateness as well as progress/degree of compliance of all parties.

b. Documentation, to include:

I. Case record contents are well-organized and easy to understand;

II. All demographic, participant, and relationship information in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is correct and current;

III. The case documentation in the printed, hard copy of the case file, as well as that which is in the SACWIS system of record (FSFN) is of good quality, accurate, relevant, well-written, and the entries have consistently been completed in a timely manner;

IV. The Pre-Disposition Study/Report (or similar document, containing similar information), if applicable to the case being evaluated, meets all statutory and rule requirements; and the content is accurate, informative, timely and well-written;

V. The Case Plan meets all statutory requirements for format, content, and timeframes; the content is accurate, timely, and well-written; the goal is current and appropriate for the case; services are relevant and accessible; tasks are achievable and individualized; desired outcomes are measurable; and the case plan has been updated when appropriate;

VI. The Judicial Review Social Study Report meets all statutory requirements for format, content, and timeframes; the content is accurate, timely, and well-written; and the document includes all attachments and assurances as required;

VII. The material included in the Home Study for relative or non-relative placement, if applicable (or either the Adoptive Home Study, or Child Study, as applicable for Adoption Case Managers), is of such quality that it: includes enough relevant information to support appropriate decision-making; addresses special placement or other considerations, including matching the strengths of the family to the needs of the child; addresses all safety and risk factors as appropriate; and includes all applicable background checks completed within required time frames.

e. Assessment, to include:

I. The initial Family Assessment (and updated Family Assessment, if applicable), includes complete information on all family and household members and other relevant individuals. The information in the Family Assessment(s) is of

such quality that it: supports appropriate decision-making; addresses the strengths and needs of all family and appropriate decision-making; addresses special placement or other considerations, including matching the strengths of the family to the needs of the child; addresses all safety and risk factors as appropriate; and includes all applicable background checks completed within required time frames. The initial and on-going assessments of the family and home address potential immediate safety and long-term risks to children (which includes present and emerging dangers, child vulnerability, and caregiver protective capacity implications), and the information is updated and documented with sufficient thoroughness at each home visit/contact to identify possible risks, and enable development of a safety plan if needed;

II. A Safety Plan (if applicable) is documented, and safety planning is addressed appropriately (if necessary);

III. The documentation of identified issues, strengths and needs provides accurate and relevant information for immediate and long-term safety planning, case planning, and permanency considerations;

IV. Case activity/documentation reflects that intervention was consistent with risk, that appropriate referral(s) were initiated in a timely manner, that services were provided consistent with needs in a timely manner, and that there was appropriate follow-up to verify service provision (including documentation as to why such identified/needed services were not provided or accessed).

d. Decision Making, to include:

I. Placement activities (if required), considered the needs of the child, engaged the family (when appropriate), and were conducted consistent with risk and as required by statute and rule;

II. Case activity/documentation reflects that there was preparation for and participation in both internal (agency) and external (e.g., IEP) staffings as appropriate;

III. Case documentation reflects that there was discussion with the supervisor (and other high level agency personnel, if necessary) regarding case issues, if applicable.

IV. The case goal is current, appropriate and achievable.

(f)1. For Child Protection Case Management Supervisor candidates, the successful completion of the "Supervising for Excellence" curriculum as addressed in Rule 65C-33.007, F.A.C., is an additional requirement for certification; the "Supervising for Excellence" curriculum is not a requirement for certification of Child Protection Case Management Specialist, Quality Assurance Professional, or Field Trainer candidates.

2. A Child Protection Case Management Supervisor candidate shall successfully complete the Performance Assessment prior to participating in the required "Supervising for Excellence" training.

(13) ~~Casework Component of the Performance Assessment for Child Protection Licensing Counselor candidates.~~

(a) ~~The case for evaluation shall be selected and agreed upon jointly by the candidate and his or her supervisor, and will be identified early enough in the case flow process for the candidate to personally complete all of the case documents being evaluated.~~

(b) ~~The case shall be that of an actively-licensed foster home for which the candidate completed both the licensing checklist and the licensing home study, and for which the candidate has primary responsibility.~~

(c)1. ~~Demonstration of core competency elements through skilled performance of the following minimum applicable key case activities is required for successful completion of the casework component of the Performance Assessment by a Child Protection Licensing Professional:~~

2. ~~All of the following must be completed pursuant to statute, rule and policy, including adhering to applicable time frames:~~

a. ~~Information gathering, to include:~~

I. ~~Home visits as required;~~

II. ~~Frequency of visits with licensed caregivers as required;~~

III. ~~Thorough assessment of safety and on-going risk factors at each home visit/contact;~~

IV. ~~Safety Plan (if applicable), addresses all identified safety concerns;~~

V. ~~Background records checks (as required);~~

VI. ~~Contacts are purposeful and address placement and foster home compliance issues.~~

b. ~~Documentation, to include:~~

I. ~~Case record contents are well organized, and easy to understand;~~

II. ~~All foster family demographic information in the printed, hard copy of the licensing file, as well as that which is in the SACWIS system of record (FSFN) is correct and current;~~

III. ~~The case documentation in the printed, hard copy of the licensing file, as well as that which is in the SACWIS system of record (FSFN) is of good quality, accurate, relevant, well-written, and the entries have consistently been completed in a timely manner;~~

IV. ~~The Licensing Checklist and the Licensing Home Study include complete information on all family and household members and other relevant individuals. The material in the Home Study is of such quality that it: includes enough relevant information to support appropriate decision making; addresses special placement or other considerations, including matching the strengths of the family~~

to the needs of the child; addresses all safety and risk factors as appropriate; and includes all applicable background checks completed within required time frames.

e. Assessment, to include:

I. The initial assessment of the prospective foster family and home as well as the on-going assessment of the licensed family and home both address potential immediate safety and long-term risks to children (which includes present and emerging dangers, foster child vulnerability, and caregiver protective capacity implications), and the information is updated with sufficient thoroughness at each home visit/contact to identify possible risks, and enable development of a safety plan if needed;

II. A Safety Plan (if applicable) is documented, and safety planning is addressed appropriately (if necessary);

III. The documentation of identified issues, strengths and needs in both the Licensing Checklist and the Licensing Home Study provides accurate and relevant information for licensing/placement purposes, as well as for immediate and long-term safety planning, case planning, and permanency considerations;

IV. Case activity/documentation reflects that intervention (if applicable) was consistent with risk, that appropriate referral(s) were initiated in a timely manner, that services were provided consistent with needs in a timely manner, and that there was appropriate follow-up to verify service provision (including documentation as to why such identified/needed services were not provided or accessed);

d. Decision Making, to include:

I. Licensing/relicensing decisions were made in accordance with statute, rule and child safety factors;

II. The strengths of the foster family were matched to the needs of the child when possible;

III. Case documentation/activity reflects that there was preparation for and participation in staffings or other agency mechanisms for ensuring that relevant information was reviewed and shared between affected parties (e.g., exit interviews; meeting with case managers who had placed children in the home, etc.);

IV. Case documentation reflects that there was coordination with other individuals or entities in order to help enhance timely service provision or to address concerns.

(14) Casework Component of the Performance Assessment for Child Protection Licensing Professionals (Supervisor, Specialist, Quality Assurance Professional, and Field Trainer candidates):

(a) A Supervisor, Specialist, Quality Assurance Professional, or Field Trainer candidate shall conduct an analysis of the casework of a Licensing Counselor.

(b) The candidate will conduct his or her analysis on a case which shall be randomly selected and agreed upon jointly by the candidate and his or her supervisor, and is to be selected from the candidate's unit or program area caseload. Under no

circumstances shall a candidate be assigned to evaluate a case on which he or she provided supervision or consultation prior to the assessment.

(c) The case shall be that of an actively licensed foster home for which a Licensing Counselor completed the licensing study, and for which a Licensing Counselor has primary responsibility.

(d)1. Demonstration of core competency elements through skilled critical analysis of the strengths, omissions and errors in the case, in addition to identification of the improvements needed in the work product(s) analyzed per the following case criteria, is required for successful completion of the casework component of the Performance Assessment by a Child Protection Licensing Supervisor Specialist, Quality Assurance Professional, or Field Trainer candidate:

2. Each of the following must be analyzed using the requirements of statute, rule and policy (including applicable time frames), and the guidelines set forth below:

a. Information gathering, to include:

I. Home visits as required;

II. Frequency of visits with licensed caregivers as required;

III. Thorough assessment of safety and on going risk factors at each home visit/contact;

IV. Safety Plan (if applicable), addresses all identified safety concerns;

V. Background records checks (as required);

VI. Contacts are purposeful and address placement and foster home compliance issues.

b. Documentation, to include:

I. Case record contents are well-organized, and easy to understand;

II. All foster family demographic information in the printed, hard copy of the licensing file, as well as that which is in the SACWIS system of record (FSFN) is correct and current;

III. The case documentation in the printed, hard copy of the licensing file, as well as that which is in the SACWIS system of record (FSFN), is of good quality, accurate, relevant, well-written, and the entries have consistently been completed in a timely manner;

IV. The Licensing Checklist and the Licensing Home Study include complete information on all family/household members and other relevant individuals. The material in the Home Study is of such quality that it: includes enough relevant information to support appropriate decision-making; addresses special placement or other considerations, including matching the strengths of the family to the needs of the child; addresses all safety and risk factors as appropriate; and includes all applicable background checks completed within required time frames.

e. Assessment, to include:

I. The initial assessment of the prospective foster family and home as well as the on-going assessment of the licensed family and home both address potential immediate safety and long-term risks to children (which includes present and emerging dangers, foster child vulnerability, and caregiver protective capacity implications), and the information is updated with sufficient thoroughness at each home visit/contact to identify possible risks, and enable development of a safety plan if needed;

II. A Safety Plan (if applicable) is documented, and safety planning is addressed appropriately (if necessary);

III. The documentation of identified issues, strengths and needs in both the Licensing Checklist and the Licensing Home Study provides accurate and relevant information for licensing/placement purposes, as well as for immediate and long-term safety planning, case planning, and permanency considerations;

IV. Case activity/documentation reflects that intervention (if applicable) was consistent with risk, that appropriate referral(s) were initiated in a timely manner, that services were provided consistent with needs in a timely manner, and that there was appropriate follow-up to verify service provision (including documentation as to why such identified/needed services were not provided or accessed).

d. Decision Making, to include:

I. Licensing/relicensing decisions were made in accordance with statute, rule child safety factors;

II. The strengths of the foster family were matched to the needs of the child when possible;

III. Case documentation/activity reflects that there was preparation for and participation in staffings or other agency mechanisms for ensuring that relevant information was reviewed and shared between affected parties (e.g., exit interviews; meeting with case managers who had placed children in the home, etc.);

IV. Case documentation reflects that there was coordination with other individuals or entities in order to help enhance timely service provision or to address concerns.

(e)1. For Child Protection Licensing Supervisor candidates, the successful completion of the "Supervising for Excellence" curriculum as addressed in Rule 65C-33.007, F.A.C., is an additional requirement for certification; the "Supervising for Excellence" curriculum is not a requirement for certification of Child Protection Licensing Specialist, Quality Assurance Professional, or Field Trainer candidates.

2. A Child Protection Licensing Supervisor candidate shall successfully complete the Performance Assessment prior to participating in the required "Supervising for Excellence" training.

(12)(15) Interpersonal Skills Component of the Performance Assessment.

(a) It is the responsibility of the candidate to select the interaction(s) for the interpersonal skills evaluation(s) and to schedule the observation(s). Each interaction may take place in any setting in which the candidate typically engages in a professional interaction with others as part of his or her job.

1. For Child Protective Investigator, Child Protection Case Manager, and Child Protection Licensing Counselor candidates, the interpersonal skills evaluation(s) shall may be scheduled in a client or family home, in the candidate's office, or in any other professional setting in which the candidate interacts with children and adult clients.

2. For Child Protection Case Manager candidates, the interpersonal skills evaluation(s) shall be scheduled in a client or family home, during a home visit.

3. For Child Protection Licensing Counselor candidates, the interpersonal skills evaluation(s) shall be scheduled in the home of a family that is seeking licensure or relicensure.

4.2. For Supervisor and Specialist Supervisor, Specialist, Quality Assurance Professional and Field Trainer candidates in each of the position classifications, the interpersonal skills evaluations shall may be scheduled in the candidate's office or the field, where the candidate interacts with staff, peers, or other professionals.

(b) The interpersonal skills evaluation(s) may be scheduled at any time after the Performance Assessment has begun, as long as there is sufficient time for both portions of the Assessment (including any re-takes, if necessary) to be completed no later than one (1) year "window" period opens, from no sooner than six (6) months from the date of the candidate's hire into the position, or successful completion of the waiver or post-test (whichever is later), to no later than nine (9) months from the date of the candidate's hire into the position, or successful completion of the waiver or post-test, whichever is earlier later.

(c)1. There is no requirement that the first-tier evaluator supervisor and the independent evaluator observe separate interactions, although they may do so, based upon such factors as scheduling availability and sensitivity to the needs of clients and families.

2. If the first-tier evaluator supervisor and independent evaluator observe separate interactions, either evaluator's observation may be completed first the supervisor's observation must be completed prior to the independent evaluator conducting his or her evaluation.

(d) For all candidates for certification, the interpersonal professional interactions shall be evaluated per the criteria set forth in the Department-approved Performance Assessment most applicable to each candidate's job function, in terms of each of the following minimum applicable key activities which must be demonstrated in a manner consistent with generally accepted standards of professional conduct:

1. Demonstration of advanced preparation for the interaction;

- 2. ~~Performance of introduction(s);~~
- 3. ~~Knowledge and explanation of the purpose of the visit/interaction;~~
- 4. ~~Ability to maintain an objective, professional approach;~~
- 5. ~~Ability to engage children (as appropriate for age and developmental level) and caregivers/family members in discussion and planning;~~
- 6. ~~Ability to communicate professionally with all visit/meeting participants;~~
- 7. ~~Demonstration of active listening skills;~~
- 8. ~~Ability to maintain the focus of the interaction;~~
- 9. ~~Ability to appropriately respond to unexpected events as necessary;~~
- 10. ~~Ability to verbalize participants' strengths and needs;~~
- 11. ~~Demonstration of knowledge about and ability to offer service/provider alternatives to children and families;~~
- 12. ~~Ability to conduct closing activities at conclusion of interaction.~~

~~(13)(16)~~ Completion of the Performance Assessment.

(a) All initial and subsequently attempted Performance Assessment activities and evaluations must be concluded no later than one (1) year ~~12 months~~ from the date the individual was hired into the position, or passed the waiver or post-test (whichever is earlier ~~later~~), by which time the individual shall have either achieved Child Protection Professional certification or shall be removed from any position requiring such certification.

(b)1. All portions of the Performance Assessment, including any agency-designed and agency-required additional components, must be successfully completed in order for the Child Protection Professional to fulfill the minimum performance standards required for initial certification ~~as a Child Protection Professional~~.

2. Successful completion requires that both the first-tier evaluator ~~individual's supervisor~~ and the assigned independent evaluator concur that the candidate effectively demonstrated the knowledge, skills and priorities, ~~values and attitudes~~ necessary for the competent performance of the duties required by his or her position.

(c) At such time as the independent evaluator has completed both the casework and interpersonal evaluations, he or she, along with the first-tier evaluator and the supervisor (if different) shall meet to review and discuss their findings, prior to meeting with the candidate to present the results.

1. If both the ~~i~~Independent ~~e~~Evaluator and the first-tier evaluator ~~candidate's supervisor~~ agree that the individual successfully completed all portions of the Performance Assessment, the candidate has met the standard for initial certification as a Child Protection Professional in the applicable position classification and certification designation.

and the necessary paperwork shall be completed per the process set forth in Rule 65C-33.009, F.A.C., in order for the candidate to be issued his or her certificate.

2. If both the independent evaluator and the first-tier evaluator ~~candidate's supervisor~~ agree that the individual did not successfully complete all portions of the Performance Assessment (including any agency-designed additional components), the candidate may engage in one (1) more attempt to demonstrate those skill areas which he or she did not pass the first time during the initial assessment.

a. If a candidate passes only one portion of the Performance Assessment (either the Casework or the Interpersonal Skills portion), it is not necessary for the candidate to take the entire assessment again; he or she will only need to re-take the failed portion of the assessment.

I. On the casework portion of the Performance Assessment, each of the written work products and criteria included in one standard (e.g., Documentation) must be passed in order to have passed that standard.

II. All standards must be passed in order to successfully complete the casework portion of the Performance Assessment.

III. Any standard(s) not passed may be attempted a second time in a re-take of the Casework portion of the Performance Assessment.

b. Inasmuch as a candidate's second Performance Assessment casework attempt shall not be conducted on the same case as previously evaluated, the employing agency will have established a protocol for ~~random~~ case selection for re-takes of any standards of the Casework component of the Performance Assessment.

c. Should a second attempt at the Interpersonal Skills portion of the Performance Assessment be necessary, the second attempt shall be observed during a professional interaction between the candidate and different participants than those observed in the first attempt.

I. As in the initial attempt, it is the responsibility of the candidate to select the interaction(s) for the Interpersonal Skills evaluation(s) and to schedule the observation(s); there is no requirement that the first-tier evaluator ~~Supervisor~~ and the independent evaluator observe separate interactions, however they may do so.

II. If, during the first attempt of the Interpersonal Skills evaluation, the first-tier evaluator ~~Supervisor~~ and the ~~i~~Independent ~~e~~Evaluator(s) observed different interactions, and only one of them failed the candidate, more than one evaluator ~~both the Supervisor and the Independent Evaluator~~ must evaluate the second attempted interaction.

d. ~~Absent special or other circumstances,~~ The employing agency shall make arrangements for the second attempt of any ~~the~~ failed portion(s) of the Performance Assessment to be conducted within a time frame that allows for remediation.



while adhering to the established one-year period during which certification must be achieved 30 calendar days following the date on which the initial Performance Assessment was failed.

e. Upon failing the first attempt of either portion of the Performance Assessment and ~~At the beginning of the 30 calendar day period~~ prior to the individual's second attempt, the candidate, his or her Supervisor, the independent evaluator(s), and a Certified Child Welfare Trainer shall may, at the discretion of the employing agency, enter into a Certification Plan to identify the areas of deficiency and develop the strategy for remediation; absent special circumstances, no second attempt of the Performance Assessment shall extend the one-year period during which certification must be achieved.

3.a. The employing agency shall have established a protocol for the resolution of differences which arise in the event that, after a review of their findings, the first-tier evaluator and the independent evaluator(s) Independent Evaluator and the candidate's Supervisor differ in their perspective on whether or not the candidate successfully completed all components portions of the Performance Assessment.

b. ~~Such agency protocol may include convening a review panel, consisting of agency executive staff, to evaluate the same work products or skills assessed during the initial evaluation; or some similar resolution process, the decision made by which is binding.~~

a. Such agency protocol should include convening a Review Panel (or some similar resolution process) consisting of at least three executive staff (supervisory or higher level, at least one of whom must be certified at a supervisory or higher level) from the employing or other agency (who did not participate in initially evaluating the candidate's Performance Assessment), to evaluate the same work products and skills assessed during the initial evaluation.

b. Within three (3) business days of the request for a Review Panel, all Performance Assessment work product materials (including all completed first and second-tier evaluation forms) shall be forwarded to the agency-designated senior member of the panel by the candidate's supervisor.

c. Within five (5) business days of receipt of the Performance Assessment materials by the agency-designated senior panel member, the Panel shall meet, review the materials and make a determination as to whether or not the candidate successfully completed the Performance Assessment. The Panel must conclude its evaluation of all work products no later than 15 business days after having been notified that the Tier 1 and Tier 2 evaluators disagree on their findings.

I. As part of the panel's decision-making process, the panel may request that both the first and second-tier evaluators appear and discuss their findings.

II. In the case of a difference of opinion between the panel members as to whether or not the candidate successfully completed the Performance Assessment, the agency-designated senior panel member shall make the final decision.

d. Within two (2) business days of the panel having reached a decision, the agency-designated senior member of the Panel shall return all Performance Assessment materials to the candidate's supervisor. Within two (2) business days of having the materials returned to him/her, the candidate's supervisor shall meet with the candidate to officially present the determination of the Review Panel. The Panel decision shall be final and binding.

4. ~~Absent special or other circumstances, The first-tier evaluator and independent evaluator(s) for the individual's second Assessment attempt shall not be the same individual(s) as those who participated in rating who served as Independent Evaluator for the candidate's first attempt of the Performance Assessment, unless a team approach is utilized by the agency for the independent evaluation process.~~

~~(17) Absent special or other circumstances, should the Child Protection Professional fail to successfully complete the second Performance Assessment attempt (either portion), the employing agency shall do one of the following:~~

~~(a) Afford the individual the opportunity to enter into a one time, time limited Performance Improvement Plan ("PIP") with his or her immediate and next level Supervisor, a Certified Child Welfare Trainer, and the Independent Evaluator, in order to best decide on a plan of action, which may, at the discretion of the employing agency, include one final Performance Assessment attempt.~~

~~1. The time frame for completion of the Performance Improvement Plan (including, if applicable, the individual's one final Performance Assessment attempt), shall be no longer than 60 calendar days from the date the individual failed the second attempted Performance Assessment, or 12 months from the date of having successfully completed the waiver or post-test, whichever occurs first, absent special or other circumstances accommodated by the employing agency.~~

~~2. There are no second Performance Improvement Plans applicable under this section.~~

~~(b)1. Terminate the individual from the agency, or remove the individual from any position requiring Child Protection Certification no later than ten (10) business days from the date of receipt of the results of the second failed Performance Assessment, absent special or other circumstances accommodated by the employing agency.~~

~~2. If special or other circumstances exist, it is up to the sole discretion of the employing agency as to the accommodation, if any, to be extended to the individual, within these guidelines:~~

~~a. Under no circumstances shall any individual in one of the Child Protection Professional positions of Protective Investigator, Case Manager or Licensing Counselor, who has failed to achieve certification due to two unsuccessful attempts to successfully complete the Performance Assessment, carry a caseload, be assigned any cases, be responsible for any assessment of risk, conduct any unaccompanied or unsupervised home visits, perform any home studies or interviews of children or adults, or otherwise have either primary or secondary responsibility for any investigation, child, family or case.~~

~~b. Similarly, under no circumstances shall any individual in one of the Child Protection Professional positions of Supervisor, Specialist, Quality Assurance Professional, or Field Trainer, who has failed to achieve certification due to two unsuccessful attempts to successfully complete the Performance Assessment, be responsible for any assessment of risk, any oversight or approval of the work of others, or otherwise provide oversight of any investigation, child, family or case.~~

(14) Absent special circumstances, should a Child Protection Professional fail to successfully complete the second Performance Assessment attempt (either portion), the employing agency shall remove the individual from any position requiring such Child Protection Certification no later than ten (10) business days from the date of receipt of the results of the second failed Performance Assessment.

(15) Once it is known that an individual in a position requiring certification has failed to achieve certification due to two unsuccessful attempts to successfully complete the Performance Assessment, under no circumstances shall that individual carry a caseload, assign or be assigned responsibility for any cases, conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, be tasked with any oversight or approval of the work of others, or otherwise have either primary or secondary responsibility for or provide oversight of any investigation, child, family or case.

Rulemaking Authority 402.40, ~~402.731(1)~~, ~~39.0124~~ FS. Law Implemented 402.40, ~~402.731(1)~~ FS. History—New \_\_\_\_\_.

65C-33.007 Additional Requirements for Supervisor Certification.

(1) Absent special ~~or other~~ circumstances ~~accommodated by the employing agency~~, each Child Protection Professional who occupies a supervisory position must meet all of the training and certification requirements to become certified as a Supervisor in that position classification (Protective Investigations; Case Management; Licensing) within one year of hire into the supervisory position, or within one year of passing the waiver or post-test for the position, whichever is earlier ~~later~~.

(2) In order to achieve certification as a Protective Investigations, Case Management, or Licensing Child Protection Professional Supervisor, each candidate occupying a supervisory position must:

(a)1. Successfully complete both the Casework and Interpersonal Skills portions of the Performance Assessment applicable to his or her position classification (Protective Investigations; Case Management; Licensing), developed for Supervisor and; Specialist, ~~Quality Assurance Professional, and Field Trainer~~ candidates, as described in Rule 65C-33.006, F.A.C.; and

2. Should the individual fail to successfully complete both portions of the Performance Assessment, the process to be followed is set forth in subparagraph 65C-33.006~~(13)(16)~~(c)2., F.A.C.

(b) Successfully complete the Office of Family Safety-approved child welfare “Supervising for Excellence” or other Department-approved supervisory classroom training curriculum.

1. Absent special ~~or other~~ circumstances, successful completion of the ~~child welfare~~ “Supervising for Excellence” curriculum is achieved by the individual attending and participating in all classroom training sessions of the course, completing all assignments, and completing and presenting the project component as required by the curriculum. All missed classes shall be made up by the individual prior to the conclusion of the course.

a. All efforts should be taken to ensure that individuals hired into supervisory positions are provided with an opportunity to participate in the Office of Family Safety-approved “Supervising for Excellence” or other Department-approved curriculum early in their tenure as supervisors, prior to completing their supervisory Performance Assessments, when possible. However, based upon such factors as scheduling and availability of the training, a candidate for supervisory certification may complete the “Supervising for Excellence” curriculum either before or after his or her completion of the Performance Assessment.

b. Inasmuch as the certification requirement for individuals performing licensing functions was instituted long after the establishment of certification requirements for other position classifications, any Licensing Supervisor who is not yet certified as such, and who, as of the effective date of this rule, has successfully completed both the casework and interpersonal components of an approved licensing Performance Assessment for supervisory certification, but who has not yet completed the Office of Family Safety-approved “Supervising for Excellence” or other Department-approved supervisory classroom training, shall be exempt from the “Supervising for Excellence” initial certification requirement and his or her certification as a Licensing Supervisor shall not be contingent upon successful completion of said curriculum.

I. Individuals meeting these criteria shall complete the “Supervising for Excellence” or other Department-approved supervisory curriculum as a part of the ongoing professional development training required during their first supervisory recertification period.

II. The employing agency is required to track this information and verify that the individual’s successful completion of the “Supervising for Excellence” training has been documented in the SkillNET or other Department-approved tracking system prior to submitting the supervisor’s name for recertification.

c. Existing Licensing Supervisors not meeting the above criteria are required to successfully complete both the casework and interpersonal components of an approved licensing Performance Assessment for supervisory certification as well as the Office of Family Safety-approved “Supervising for Excellence” or other Department-approved supervisory classroom training as part of their initial supervisory certification requirement, within one year of the effective date of this rule.

d. Any Licensing Supervisor hired into the position on or after the effective date of this rule shall be required to participate in and successfully complete the Office of Family Safety-approved “Supervising for Excellence” or other Department-approved supervisory classroom training as part of his or her initial supervisory certification requirement, within one (1) year of the date of hire into the supervisory position, or within one (1) year of passing the waiver or post-test for the position, whichever is earlier.

2.a. At the discretion of the employing agency, should any the candidate for certification as a supervisor fail to successfully complete the child welfare “Supervising for Excellence” or other Department-approved curriculum, supervisory classroom training within the time frames set forth in this rule, the employing agency shall either:

a.b. Afford the individual the opportunity to enter into a one-time, time-limited Certification Plan with his or her immediate and next level Supervisor, a Certified Child Welfare Trainer, and any other appropriate agency personnel interested parties, in order to help identify the issue(s) and develop a specific plan for remediation which may, at the discretion of the employing agency, include one final attempt to successfully complete the child welfare “Supervising for Excellence” curriculum.

I. The time frame for completion of the Certification Plan (including, if applicable, the individual’s one final “Supervising for Excellence” attempt), shall be no longer than 60 calendar days from the date the individual failed to successfully complete the first attempted “Supervising for Excellence” curriculum, or within one (1) year of hire into the supervisory position, or within one (1) year of passing the

waiver or post-test for the supervisory position, whichever is earlier later, absent special or other circumstances accommodated by the employing agency.

II. There are no additional Certification Plans applicable under this section.

b.(b) Remove the individual from any position requiring supervisory Child Protection Certification no later than ten (10) business days from the date the candidate failed to successfully complete the Office of Family Safety-approved child welfare “Supervising for Excellence” or other Department-approved supervisory curriculum, absent special or other circumstances accommodated by the employing agency.

1. If special or other circumstances exist, it is up to the sole discretion of the employing agency as to the accommodation, if any, to be extended to the individual, within these guidelines. Requests for accommodation shall be handled by the employing agency on a case by case basis.

2. Under no circumstances shall any individual who has failed to achieve certification as a Supervisor due to two or more unsuccessful attempts to successfully complete the child welfare “Supervising for Excellence” curriculum be responsible for any assessment of risk, any approval of the work of others, or otherwise provide oversight of any investigation, child, family or case.

c. If no Certification Plan is entered into and the individual is to be removed from any position requiring supervisory Child Protection Certification, he or she shall immediately stop performing any client or case-related supervisory functions or conducting any investigative, casework, or licensing-related supervisory activities.

(e) Terminate the individual from the agency within ten (10) business days of notice to the individual that the requirements of certification have not been met within the required period of time.

(3) Within 30 calendar days of a Child Protective Investigations, Case Management, or Licensing Supervisor Protection Professional having successfully completed the supervisory certification process, the employing agency Training Manager or designee shall forward to the Office of Family Safety a completed and signed Department-generated “Request for Certificate” form, number CF-FSP 5329, effective April 2010, which is incorporated by reference in Rule 65C-33.009, F.A.C., attesting to the fact that the individual successfully completed all requirements necessary for certification as a Child Protective Investigations Investigator Supervisor, a Child Protection Case Management Supervisor, or a Child Protection Licensing Supervisor.

(4) The complete process to be followed for the request and issuance of all certificates is set forth in Rule 65C-33.009, F.A.C.

(5) The recertification requirements for a Child Protection Professional Supervisor and the implications of not achieving timely recertification are identical to those for any other Certified Child Protection Professional, as set forth in Rule 65C-33.008, F.A.C.

Rulemaking Authority 402.40, 402.731(1), ~~39.0121~~ FS. Law Implemented 402.40, 402.731(1) FS. History—New\_\_\_\_\_.

#### 65C-33.008 Recertification.

(1) ~~Rec~~Certification is a condition of employment for those positions requiring certification.

(2) In order to be eligible for recertification ~~achieve recertification~~, it is required that every Certified Child Protection Professional continue to fulfill his or her job requirements and participate in a minimum of 48 hours of professional development (“in-service”) training every three (3) years from the date of his or her most recent certification, in order to help enhance professional growth and development on an on-going basis, and as the means by which to fulfill the training requirements for recertification. Unless accommodations are made by the employing agency to address an individual’s special ~~or other~~ circumstances, each individual in a position requiring certification must be recertified within three (3) years of the date of the most recent certification, or be removed from any position requiring such certification.

(3) The employing agency shall ensure that obtaining recertification every three (3) years through the fulfillment of job requirements and documented professional development training is included as a performance standard for each Certified Child Protection Professional, and that each individual employed in a position requiring certification is made aware of the ramifications of not meeting the requirement.

(4)(a) It is the responsibility of the employing agency to ensure that each Certified Child Protection Professional is notified of and encouraged to attend and participate in a variety of professional development training opportunities in order to help enhance each individual’s professional evolution on an on-going basis, as well as to meet recertification requirements.

(b) An individual may hold certification ~~not be recertified~~ in more than one position classification (Protective Investigations; Case Management; Licensing) or in more than one certification designation (e.g., Protective Investigator; Supervisor) at the same time, and may be eligible for recertification in multiple position classifications or certification designations. In those instances in which an individual, by virtue of transferring, promoting, or being hired into another position requiring certification, is actively, concurrently certified in more than one position classification or certification designation, and meets the requirements for recertification, the individual’s recertification shall ~~only~~ be

granted in each position classification or certification designation for which he or she is eligible ~~his or her current position classification and current certification designation.~~

(5)(a) Individuals shall not be initially certified in positions which they do not currently occupy, however, they may be eligible for recertification in positions they held previously, as long as they meet the requirements for recertification.

(b) There is no limit to the number of position classifications or certification designations in which an individual may be recertified, and no limit to the length of time an individual may hold multiple Child Protection certifications, as long as the individual continues to meet the following recertification requirements:

1. Achieved initial certification in each of the position classifications or certification designations as indicated by possession of a valid, original certificate, and

2. Is currently employed in a Florida child welfare/child protection position in good standing, and

3. Has not been decertified for cause in any position requiring certification, and

4. Participates in and maintains documentation in the SkillNET system (or other Department approved tracking database) of a minimum of 48 hours of professional development training every three (3) years for recertification in each of the position classifications or certification designations in which the individual seeks and meets the criteria for recertification.

~~(6)(5)~~ The employing agency is responsible for verifying attendance and maintaining documentation of each individual’s professional development training hours.

~~(7)(6)~~ The Department will not review or approve professional development (“in-service”) training courses.

~~(8)(7)~~ It is the responsibility of the employing agency to validate professional development training course content as to subject relevance, with regard to each individual’s position classification, job requirements, and identified or observed needs.

(9) In order to be eligible for recertification credit for any one (1) position classification or certification designation, an individual’s minimum of 48 professional development training hours shall include a minimum of four (4) hours of professional ethics; a minimum of six (6) hours of legal; and a minimum of 24 hours of practice skills training.

(a) Each separate recertification requires a minimum of 48 hours of professional development training hours; no more than 24 hours may overlap by counting toward recertification in more than one position classification or certification designation.

(b) For recertification in two (2) position classifications or certification designations, an individual meeting the criteria for recertification in each shall participate in and maintain documentation of 96 professional development training hours,

which shall include a minimum of eight (8) hours of professional ethics; a minimum of 12 hours of legal; and a minimum of 48 hours of practice skills training.

~~(10)(8)~~ Although there are no specific course requirements for the mandatory 48 hours of professional development training required for each separate recertification, employing agencies shall provide or make available training opportunities which address a wide variety of core competency elements (e.g., ~~ethics~~, interpersonal skills, conflict resolution, law and policy issues, cultural diversity, and investigative and casework practice-related processes) in addition to the minimum ethics, legal and practice skills training required, in order to help expand the knowledge, proficiency and awareness of each Certified Child Protection Professional.

(a) Professional development training hours may be obtained by attending relevant workshops, conferences, other trainings, or participating in pertinent on-line learning opportunities approved by the employing agency. In some cases whereby individuals are pursuing undergraduate or graduate degrees, certain courses may be pre-approved by the employing agency to count as a portion of the individual's professional development training hours, as long as the course and the degree sought are relevant to the individual's current position classification (Protective Investigations; Case Management; Licensing).

1. Professional development training hours garnered through agency-approved, successfully completed college or graduate-level courses shall be credited as the number of total credit hours for the course; for example, a three (3) credit-hour course shall be credited as three (3) professional development training hours toward recertification.

2. No more than 25% of the required 48 professional development training hours required for each separate recertification may come from college or graduate-level courses in which the individual is enrolled as a degree-seeking or non-degree seeking student.

(b) No individual may take the pre-test, post-test or waiver test in lieu of all or any part of the required 48 hours of professional development training hours.

(c) No individual may attend pre-service classes that he or she previously attended as part of the pre-service curriculum or waiver plan in order to obtain any professional development ("in-service") training hours.

1. Pre-service curriculum courses that are new, or in which the individual has not previously participated (including relevant on-line instruction that may be a new part of the pre-service curriculum, but was not included in the individual's previous pre-service experience) may be considered as professional development training hours which count toward meeting the requirement for recertification.

2.a. Training provided by the Department on updated statutory, administrative code and policy requirements may be considered as professional development training hours which count toward meeting the requirement for recertification.

b. In order to help promote each individual's professional development, enhancement of skills and assimilation of information beyond that which is routinely required as part of each individual's job function, no more than 50% of the mandatory minimum 48 professional development training hours required for each separate recertification may be credited from trainings which are required by the Department.

~~(11)(9)~~ The employing agency is responsible for the tracking of all professional development trainings, activities and recertification information for every Certified Child Protection Professional employed by the agency.

(a) The official tracking system that shall be used by the Department, the Training Academy and all agencies to document training is SkillNET, or other Department-approved tracking database.

(b) Each individual shall enter and regularly maintain all professional development training information in SkillNET, or other Department-approved tracking database.

~~(12)(10)~~ Every Supervisor of a Certified Child Protection Professional shall ensure, prior to the expiration of the individual's certification, that his or her professional development training hours are appropriate and sufficient to meet job performance expectations and recertification requirements.

(a) Absent accommodated special ~~or other~~ circumstances, when professional development training or other identified requirements for recertification are not met, the Certified Child Protection Professional whose certification has expired may, ~~at the discretion of the employing agency:~~

1. Enter into a Recertification Plan with his or her Supervisor and a Certified Child Welfare Trainer, in order to identify available courses and specific time frames for satisfactorily meeting the requirement, as well as to help ensure that the individual has access to the resources and supports necessary to do so. The formulation of a Recertification Plan is applicable in those cases where, in the judgment of the employing agency, compelling circumstances exist that warrant the allowance of limited additional time for the fulfillment of recertification requirements to be afforded the individual in order to provide every possible opportunity for his or her successful completion of the recertification process within the prescribed time frame.

a. The agency-designed Recertification Plan must identify the roles and responsibilities of all plan participants, must address each of the training, activities, and other steps necessary in order for the Child Protection Professional to satisfy the job performance requirements and achieve recertification, and must include a specific time frame (not to exceed 60 days from the date of expiration of the individual's

most recent certification) within which the individual must either complete all requirements for recertification, or be removed from any position requiring that certification, ~~or be terminated from the agency~~ (absent any special ~~or other~~ circumstances accommodated by the employing agency).

b. A copy of the Recertification Plan will be placed into the individual's personnel file, and a copy will be sent to the employing agency's Training Manager or designee, who will provide one copy each to the Training Academy and the Office of Family Safety.

c. There is a limited process for "provisional certification," the informal certification status of the individual during the period of time between entering into the Recertification Plan and the 60th day after the date of expiration of the individual's most recent certification. While provisionally certified (for a period not to exceed 60 days), the individual may carry a caseload and continue to perform his or her job responsibilities, but must complete all of the trainings and other recertification activities identified in the Recertification Plan within the specified time frame, or be removed from any position requiring that certification.

2. Be removed from the position within ten (10) business days of notice to the individual by the employing agency that the requirements of recertification have not been met within the required period of time.

~~(13)(14)~~(a) Upon any of the following: an individual's loss of or inability to achieve certification; promotion, demotion or transfer to a position not requiring certification; ~~decertification~~; termination from the position or agency; or other such status-changing event, the employing agency Training Manager or designee shall notify the Training Academy in writing of the individual's status within five (5) three (3) business days of the effective date of the event.

(b) Within two (2) business days of same notification, the Training Academy will update the individual's status in the SkillNET or other Department-approved tracking database system.

~~(12) For any individual whose certification expired prior to June 24, 2005, his or her certification status is not active, unless recertification requirements were met and documented prior to the expiration date of his or her most recent certificate.~~

~~(a) If recertification requirements were not met prior to the expiration date of the most recent certificate, the individual is not certified, and as such, must successfully complete either the waiver test or the pre service curriculum (including the post test) and the Performance Assessment, as well as any other certification requirements in order to obtain initial certification. Absent special or other circumstances accommodated by the employing agency, any individual to whom this is applicable shall successfully complete all initial certification requirements and become certified in his or her~~

~~current position classification no later than one (1) year from the date of having passed the waiver or post-test (whichever is later).~~

~~(b) Should an individual covered under this section fail to successfully complete any portion of the initial certification process (including the waiver or post test, the casework or interpersonal portions of the Performance Assessment), the appropriate steps shall be followed, as set forth in the applicable sections of this Rule.~~

~~(14)(13) For any individual who is currently employed in a Florida child welfare/child protection position for which certification is either required or optional pursuant to Rule 65C-33.002, and whose most recent State of Florida Child Protection certification expired prior to the effective date of this rule, the individual shall be eligible for recertification in that position classification and certification designation, if, as of one (1) year from the effective date of this rule, either the individual's SkillNET record accurately reflects that he or she was previously certified in that position classification and certification designation, or the individual is in possession of a signed and dated original Child Protection certificate or signed and dated Assessment Results Form indicating successful completion of a Department-approved Performance Assessment, as evidence that the individual was eligible to be certified and is subsequently eligible to be recertified in that position classification and certification designation, and between June 24, 2005 and the effective date of this Rule, his or her certification status is active until January 1, 2010, at which time the individual shall be eligible for recertification in his or her current position classification and certification designation, provided that:~~

~~(a) He or she is currently has been actively employed in a Florida child welfare/child protection position in good standing (regardless of whether or not the individual's current position requires certification), and~~

~~(b) During the period of time between the date on which the Department suspended recertification (June 24, 2005) and one (1) year from the effective date of this rule, the individual has participated in and documented a minimum of 48 hours of agency-approved professional development training in the SkillNET or other Department approved tracking database system and has documented those 48 hours in the SkillNET or other Department-approved tracking database system, and~~

~~(b) Within 30 calendar days before January 1, 2010, the employing agency Training Manager or designee forward to the Office of Family Safety a signed, completed Department-generated "Request for Certificate" form, (Attachment A), attesting to the fact that the individual successfully completed all requirements necessary for recertification:~~

~~(c) The individual has not been decertified for cause.~~

(d) Upon verification and notification by the employing agency of the individual's eligibility for recertification, the Department will verify the individual's certification status, certification type, and documented professional development training hours in SkillNET. If confirmed, the Department will recertify the individual and a request for issuance of a certificate will be forwarded to the Training Academy pursuant to the process set forth in Rule 65C-33.009, F.A.C.

~~(14) For any individual whose most recent certification date was between June 24, 2005 and January 1, 2007, his or her certification status is active until January 1, 2010, at which time the individual shall be eligible for recertification in his or her current position classification and certification designation, provided that:~~

~~(a) He or she has been actively employed and has participated in and documented a minimum of 48 hours of professional development training in the SkillNET or other Department-approved tracking database system, and~~

~~(b) Within 30 calendar days before January 1, 2010, the employing agency Training Manager or designee forward to the Office of Family Safety a signed, completed Department-generated "Request for Certificate" form (Attachment A), attesting to the fact that the individual successfully completed all requirements necessary for recertification.~~

~~(15) For any individual who is certified, whose most recent certification date was after January 1, 2007, his or her certification status is active for three (3) years from the date of the certificate, at which time the individual shall be eligible for recertification in that his or her current position classification and certification designation, provided that:~~

~~(a) He or she is currently has been actively employed in a Florida child welfare/child protection position in good standing, and~~

~~(b) The individual has not been decertified for cause, and~~

~~(c)(b) The individual has participated in and documented a minimum of 48 hours of agency-approved professional development training in the SkillNET or other Department-approved tracking database system, and~~

~~(d)(b) Within 30 calendar days before either the expiration date of the individual's certificate, or three (3) years from the issuance date of the certificate (if there is no expiration date), the employing agency Training Manager or designee forward to the Office of Family Safety a signed, completed and signed Department-generated "Request for Certificate" form, CF-FSP 5329, effective April 2010 (Attachment A), attesting to the fact that the individual has successfully completed all requirements necessary for recertification, along with a copy of the individual's most recent, Department-issued certificate for the position in which the individual is seeking recertification.~~

Rulemaking Authority 402.40, 402.731(1), ~~39.0124~~ FS. Law Implemented 402.40, 402.731(1) FS. History—New \_\_\_\_\_.

65C-33.009 Certificate Issuance.

(1) Within 30 calendar days after any Child Protection Professional has successfully completed all requirements of the certification or recertification process, the employing agency Training Manager or designee shall forward to the Office of Family Safety a completed and signed Department-generated "Request for Certificate," form CF-FSP 5329, effective April 2010 (Attachment A), attesting to the fact that the individual successfully completed all requirements necessary for certification or recertification. If a community based care provider chooses to use its own form, that form must contain all of the elements of CF-FSP 5329, PDF 04/2010, which is hereby incorporated by reference. A copy of the form is available upon request by contacting the Office of Family Safety, at 1317 Winewood Blvd., Tallahassee, FL.

(a) The completed "Request for Certificate" form shall include:

1. The date of the request;
2. The name of the employing agency;
3. The individual's full name as it appears in SkillNET;
4. The name of the individual's supervisor;
5. The name of the employing agency's Training Manager or designee;
6. The effective date of the individual's certification/recertification;
7. The individual's position classification (Child Protective Investigations; Child Protection Case Management; Child Protection Licensing);
8. The individual's certification designation (~~Professional; e.g., Supervisor; Specialist; QA Professional; Field Trainer~~); and
9. The signature of the individual, his or her Supervisor, the Program Administrator or agency head, and the employing agency's Training Manager or designee.

(b) The signed, completed "Request for Certificate" form may be faxed, mailed, or sent by electronic mail by the employing agency's Training Manager or designee to the Office of Family Safety.

(2) In addition to the "Request for Certificate" form, the Training Manager or designee shall forward to the Office of Family Safety a copy of the signed Assessment Results form from the individual's successfully-completed Performance Assessment (for initial certification), or a copy of the individual's most recent Department-issued certificate (for recertification).

(3)(2) Within 30 calendar days from the date of receipt of the signed, completed "Request for Certificate" and either the Assessment Results form (for initial certification), or a copy of the individual's most recent Department-issued certificate (for recertification) by the Office of Family Safety, the Department will verify that the individual has met the requirements for certification or recertification, and a request for issuance of a certificate will be forwarded to the Training Academy for

~~processing an electronic certificate will be issued for the individual named on the request form, and will be sent via electronic mail to the Training Academy for forwarding to the individual's employing agency.~~

(a) In order to issue a certificate, the name of the individual on the "Request for Certificate" form must be the same name as that which is listed in the SkillNET or other Department-approved tracking system for that individual.

(b) In those cases where an individual's name may have changed during the employment or certification period, it is the responsibility of the employing agency to ensure that the individual's current and correct name is reflected in the SkillNET or other Department-approved tracking system, ~~and is identical to the name on the "Request for Certificate,"~~ prior to ~~forwarding~~ ~~sending~~ the "~~R~~request for Certificate" to the Office of Family Safety.

~~(4)(3)~~ Within 15 calendar days from the date of receipt of the ~~verification~~ ~~electronic certificate~~ by the Training Academy, the electronic certificate and congratulatory letter will be forwarded via electronic mail by the Academy to the employing agency's Training Manager or designee, to be printed and provided to the newly-certified Child Protection Professional.

~~(5)(4)~~ All issues or questions about a Child Protection Professional's certification or recertification status shall come to the Office of Family Safety through the employing agency's Training Manager or designee.

Rulemaking Authority 402.40, ~~402.731(1), 39.0124~~ FS. Law Implemented 402.40, ~~402.731(1)~~ FS. History—New \_\_\_\_\_.

Proposed as Rule 65C-33.011 and substantially reworded to read as:

#### 65C-33.010 Waiver Process.

(1) The waiver process is the procedure by which individuals who may already meet certain educational and experiential criteria as set forth in this rule and as determined by the employing agency may be eligible to take a waiver test and enter into an individualized waiver plan in lieu of participating in all of the training, activities, pre-test and post-test requirements of the pre-service curriculum.

(2) Within the established guidelines set forth in this rule, the employing agency is responsible for the oversight of the waiver process including verification of credentials, authorization of the waiver test, and development of the individualized waiver plan.

(3) There is no loss of certification when an individual experiences a break in service of less than three (3) years, unless the certification has expired, or the individual has failed to meet or no longer meets the qualifications for certification or recertification.

(a) It is not required that a currently certified individual who experiences no break in service or any break in service for a period of up to (but not to exceed) three years, and who is

subsequently hired (by the same or different agency) into the same position classification as that in which he or she was certified be administered a waiver test upon hire, however the employing agency shall require specific training, based upon the length of break in service and the individual's identified needs, to bring the individual's knowledge up to current standards.

(b) It is not required that a currently certified individual who experiences no break in service or any break in service for a period of up to (but not to exceed) three years, and who is subsequently hired (by the same or different agency) into a different position classification as that in which he or she was certified be administered a waiver test upon hire, however the employing agency shall require that the individual enter into a waiver plan which will include, at a minimum, that the individual participate in all pre-service training and activities for the new position classification into which he or she has been hired.

(4) In order for the employing agency to consider exercising the waiver option, the individual for whom the waiver process is to be utilized must not have been decertified for cause pursuant to paragraph 65C-33.011(1)(b), F.A.C., and shall:

(a) Be a previously Certified Florida Child Protection Professional whose certification has expired due to having failed to maintain the required 48 hours of professional development (in-service) training every three (3) years, who is hired into any position classification or certification designation after experiencing no break in service or a break in service for any period of up to (but not to exceed) two (2) years; or

(b) Be a Florida Child Protection Professional in any position classification or certification designation, who, after having successfully completed the pre-service training and having passed the post-test, but prior to having achieved certification, experienced no break in service or a break in service for any period of up to (but not to exceed) one (1) year; or

(c) Be any individual who meets established employment criteria, and for whom it can be verified that within the one (1) year period immediately preceding his or her date of hire, the individual completed all classroom instruction of the Department-approved State of Florida Child Welfare Pre-Service Training Program curriculum, trained by a currently-certified Child Welfare Trainer whose certification was granted by the Child Welfare Training Academy (whether or not the individual was administered the post-test); or

(d) Be any individual who meets the educational and experiential criteria set forth in this rule for whom it can be verified that he or she was actively engaged in relevant training, education or comparable employment in child welfare/child protection, human services, investigations, or law



enforcement in Florida or another state for at least one (1) year during the two (2) year period immediately preceding the individual's date of hire.

(5) Regardless of education or experience, any individual who does not meet the criteria for agency employment of the waiver process option pursuant to the above established timeframes or who, meeting the criteria, fails the waiver test on his or her first and only attempt, shall participate in the entire pre-service curriculum, and shall successfully complete all pre-service training requirements of the position classification into which he or she is hired (including passing the post-test), prior to the assignment of primary responsibility for any investigation, child, family or case.

(6) Although an individual may meet the criteria and be considered for the waiver process by virtue of his or her certification status, educational credentials or employment experience, the employing agency shall require the participation in the entire pre-service training and post-test process of any individual for whom training needs or known job performance deficits have been identified, prior to the assignment of primary responsibility for any investigation, child, family or case.

(7) In the event the employing agency hires an individual who had been previously certified and who was decertified for cause, the waiver process shall not be utilized; any individual hired in this circumstance must successfully complete all pre-service requirements of the position classification into which he or she is hired (including passing the post-test), prior to the assignment of primary responsibility for any investigation, child, family or case.

(8) Any individual for whom the waiver process is utilized must:

(a) Pass the waiver test upon the first and only attempt, and

(b) Enter into a waiver plan with his or her Supervisor and a Certified Child Welfare Trainer prior to the assignment of primary responsibility for any investigation, child, family or case.

(9) The Waiver Test.

(a) The waiver test is designed both to measure the level of the individual's basic knowledge of Florida child protection laws, principles and policies, and to assess the individual's ability to appropriately integrate and apply fundamental child welfare/child protection concepts in his or her decision-making, when determining how best to meet the safety, permanence and well-being needs of a child.

(b)1. There shall be no waiver test preparation classes conducted or pre-service curriculum study materials provided to any individual in order to help prepare him or her for the waiver test.

2. Training staff at the Department, Training Academy, Sheriff's Offices, Community-Based Care lead or subcontracted agencies, or any other agency providing child

welfare training or services may only conduct waiver test preparation classes in emergency staffing situations, and only then with the prior written approval of the Office of Family Safety.

(c) The waiver test must be administered within ten (10) business days of the individual's start date in the position into which he or she was hired.

(d) The employing agency shall maintain written documentation of the individual's applicable educational and employment experience as verification of the employee's eligibility to take the waiver test.

(10) An individual may take the waiver test only once during any one period of employment.

(a) The waiver test taken by an individual shall be the version designed for the position classification into which the individual is hired (Investigations; Case Management; Licensing).

(b) An individual authorized to take the waiver test must pass the test on the first attempt; there are no subsequent re-take attempts of a failed waiver test.

(c) If the individual fails the waiver test, no waiver plan is developed, and the individual must participate in the pre-service training in trainee status, regardless of any prior education or previous experience. As such, the individual shall not carry a caseload, be assigned responsibility for any cases, conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, or otherwise have primary responsibility for any investigation, child, family or case until successful completion of the pre-service training, including having passed the post-test.

(11) The minimum established passing score of the waiver test is determined by the Department and shall be posted on the Training Academy website.

(12) The waiver test is scored by the SkillNET system, and upon conclusion of the waiver test, the test proctor is responsible for providing the individual with his or her waiver test score. Each employing agency shall develop its own protocols with regard to the dissemination of an individual's waiver test score to appropriate personnel within the agency.

(13) The Waiver Plan.

(a) The employing agency is responsible for ensuring that, upon successful completion of the version of the waiver test designed for the position classification into which the individual is hired, every individual for whom the waiver process is employed enters into an agency-designed waiver plan.

(b) Within five (5) business days of having passed the waiver test, the Child Protection Professional shall meet with his or her supervisor and a Certified Child Welfare Trainer in order to enter into and sign an individualized Waiver Plan, which, at a minimum, shall address:

1. The requirement that the individual participate in those pre-service classes and activities in the track of the new position classification that he or she had not previously attended or completed, and participate in any other identified classroom, field and online training and activities needed to bring the individual up to the current standard of a Florida Child Protection Professional in the same position classification;

2. The requirement that the Performance Assessment and all other certification activities for the individual's position classification or new certification designation, if applicable, be completed within one (1) year of the date of hire into the new position or the date of passing the waiver test, whichever is earlier; and

3. The roles, tasks, responsibilities and specific time frames for completion assigned to each party, in order to address identified needs and enhance or update current knowledge in order to help ensure that the individual has access to the resources and supports necessary for his or her successful job performance and completion of the certification process.

(14) As part of any waiver plan, the employing agency may require that an individual participate in additional trainings and activities, regardless of certification status, education or experience. These additional requirements depend upon such factors as the type, length and degree of the individual's previous child welfare or other applicable experience; the individual's prior job performance history; duration of the individual's break in service (if applicable); and changes in Florida law, policy and practice which may have occurred since the individual last attended pre-service training.

(15) Regardless of certification status or any prior education or previous experience, until such time as the waiver plan has been reviewed, completed and signed by all parties, the Child Protection Professional who has passed the waiver test shall not carry a caseload, assign or be assigned responsibility for any cases, conduct any unaccompanied or unsupervised home visits, perform any unsupervised home studies or interviews of children or adults, be ultimately responsible for any assessment of risk, be tasked with any oversight or approval of the work of others, or otherwise have primary responsibility for or provide oversight of any investigation, child, family or case.

(16) Each Child Protection Professional who passes the waiver test shall be required to be given a protected training caseload for 30 calendar days following successful completion of the waiver test, as described in paragraph 65C-33.005(2)(b), F.A.C.

(a) Beginning caseload size shall be based upon information identified in the individual's waiver plan as well as the supervisor's and trainer's assessment of the individual's knowledge, skills, abilities and priorities as they relate to Florida child welfare/child protection and job performance.

(b) In determining beginning caseload size, the supervisor shall also consider the type, length and degree of the individual's previous child welfare or other applicable experience, as well as the duration of the individual's break in service (if applicable), including any changes in law, policy and practice which may have occurred since the individual last attended pre-service training and in which the individual may need specific instruction.

(17) There is no waiver procedure for either the Performance Assessment portion of the certification process, or for the 48 professional development training hours required every three (3) years for recertification.

Rulemaking Specific Authority 402.40, 402.731(1), 39.0424 FS. Law Implemented 402.40, 402.731(1) FS. History—New \_\_\_\_\_.

#### 65C-33.011 Decertification.

(1) Regardless of any additional action which may be taken by the employing agency, the Department shall decertify a certified child protection professional when he or she no longer meets the qualifications for certification pursuant to Section 402.731, Florida Statutes.

(2) The department shall also decertify an individual for cause, which is defined as: incompetence, negligence, or serious personal, professional, or ethical misconduct, including failure to responsibly discharge assigned duties; falsification of records; use of professional authority to exploit others; engaging in conduct punishable under Florida law by more than one year in jail, whether or not criminally charged or convicted of such conduct; insubordination; theft or misuse of agency property; or violation of agency rules and regulations.

(a) When an individual who is concurrently certified in more than one position classification (e.g., Protective Investigations and Case Management), or in more than one certification designation (e.g., Case Manager and Case Management Supervisor) and is decertified for cause, he or she shall be decertified in all certifications held.

(b) When a decertification for cause becomes final agency action, the decertified individual shall immediately be removed from any position requiring child protection professional certification.

(3) Within five days of an individual's decertification becoming final agency action, the Department shall provide written notification of the effective date of the decertification to the employing agency's Training Manager or designee and to the Training Academy. Within two business days of same notification, the Training Academy will update the individual's status in the SkillNET or other Department-approved tracking database system.

(4) The Department shall provide the individual with written notification of the decision to decertify him or her. The written notice must include the reason for the decertification.

and must advise the individual of his or her option to challenge the decertification decision as provided in Chapter 120, Florida Statutes.

Rulemaking Authority 402.40, 402.731(1) FS. Law Implemented 402.40, 402.731(1) FS. History—New \_\_\_\_\_.

#### 65C-33.012 Child Welfare Trainer Certification.

(1) In order to ensure that Child Welfare Trainers have the proficiency and support necessary to help provide Child Protection Professionals with the knowledge, skills, abilities and priorities, values and attitudes needed to make decisions that provide Florida children with safe and permanent homes, every trainer of the State of Florida Child Welfare Pre-Service Training Program curriculum shall be certified by the Department-approved Training Academy under contract at that time.

(2) The Child Welfare Training Academy is responsible for the training and certification of Child Welfare Trainers and the administration of the State of Florida's Child Protection Professional Certification Program.

(a) In order to be eligible to apply for consideration to be a Child Welfare Trainer, the following requirements must be met:

1. The candidate must have been previously certified as a Child Welfare Trainer in the state of Florida; or

2. The candidate must have passed the State of Florida Child Welfare Pre-Service Training post-test (or waiver test); and

3. The candidate must be a Florida Certified Child Protection Professional, with two (2) or more years of experience; or

4.~~a.~~ The candidate must have two (2) years of child welfare/child protection experience, or two (2) years of verifiable, comparable criminal child abuse/neglect related experience.

~~b. At the discretion of the Training Academy, any candidate who is not a Florida Certified Child Protection Professional at the time of hire may be required to successfully complete both the casework and interpersonal skills portions of the Performance Assessment for Field Trainers in the individual's area of expertise (Protective Investigations; Case Management; Licensing) prior to achieving certification as a Child Welfare Trainer.~~

(b) In order to achieve Child Welfare Trainer certification, within one (1) year of the date of hire as a Child Welfare Trainer, the candidate:

1. Shall attend and successfully complete all Train-the-Trainer course requirements mandated by the Training Academy within specified time frames; ~~and unless specific course requirements are waived by the Academy upon approval by the Department, based upon an individual's comparable education and experience; and~~

2. Shall be proficient in the use of the SACWIS system of record (FSFN), and be able to demonstrate proficiency in training the FSFN system; and

3. Shall successfully complete at least one mandatory observation of his or her pre-service curriculum classroom training skills by an Certified Academy Training Manager or Master Trainer, utilizing a standardized observation rating tool.

(c) Unless accommodations are made by the employing agency to address an individual's special ~~or other~~ circumstances, ~~e~~Each individual in a position requiring certification must be recertified within three (3) years of the date of the most recent certification, or be removed from any position requiring such certification; this includes Certified Child Welfare Trainers.

(d) In order to achieve recertification, every Certified Child Welfare Trainer shall:

1. Continue to successfully fulfill the job requirements;

2.a. Participate in a minimum of 48 hours of professional development ("in-service") training every three (3) years from the date of his or her most recent trainer certification;

b. Same professional development training to be verified and tracked by the employing agency, documented in the SkillNET or other Department-approved tracking system by the individual, and overseen by the Training Academy.

3.~~a.~~ Successfully complete at least two (2) mandatory, separate observations of his or her pre-service curriculum classroom training skills, one by an Certified Academy Training Manager or Master Trainer, and one by a training peer (from the same or different agency), utilizing the standardized observation rating tool; and

~~b.4.a.~~ Successfully complete at least one (1) mandatory observation of a training peer (from the same or different agency); utilizing the standardized observation rating tool, and provide the observed trainer with documented feedback on his or her observed pre-service curriculum classroom training skills.

4.a. For each one-half day of being observed by an Academy Trainer or a training peer, observation of the trainer's pre-service curriculum classroom training skills will count as four (4) hours of professional development training recertification credit for the trainer being observed; for each full day observation by an Academy Trainer or a training peer, same observation of the trainer's pre-service curriculum classroom training skills will count as eight (8) hours of professional development training recertification credit for the trainer being observed.

b. For each one-half day spent observing the pre-service curriculum classroom training skills of a training peer, completing the observation tool, and providing the observed trainer with documented feedback, the observing trainer will acquire two (2) hours of professional development training hours of recertification credit; for each full day spent observing the pre-service curriculum classroom training skills of a

training peer, completing the observation tool, and providing the observed trainer with documented feedback, the observing trainer will acquire four (4) hours of professional development training recertification credit.

5.a. After feedback is provided by the observing trainer to the observed trainer, a copy of the completed observation tool shall be provided by the observing trainer to the observed trainer, the observed trainer's supervisor, and the Training Academy within 15 business days of the observation date.

b. Any identified concerns shall immediately be brought to the attention of the observed trainer, his or her supervisor, and the Training Academy. The Training Academy shall develop a Department-approved remediation process to be utilized in cases where trainer deficiencies are noted; same process shall be posted on the Academy website.

(3) A minimum of ten (10) business days' advanced notice shall be provided to the training entity, and approval by the training entity shall be provided in a timely manner to the requestor(s) in order to schedule a pre-service curriculum classroom training observation by a peer trainer (for recertification purposes) or an Academy Trainer (for certification and recertification purposes). ~~Although classroom observation shall not require prior authorization from the agency training entity, No~~ more than two (2) individuals shall observe the same class session at any one time, and the observer(s) shall neither disrupt the class nor interact with the trainer(s) or class participants at any time while the class is in session.

(4) In addition to observing other trainers, being observed, and participating in professional development training (including mandatory Department trainings), certified trainers may also obtain a portion of their required 48 hours of professional development every three (3) years by engaging in and documenting research and self-study in preparation for the development of new curriculum for new trainings to be conducted. No more than 25% of the mandatory 48 professional development training hours required for trainer recertification may be credited from this documented research and self-study.

Rulemaking Authority 402.40, ~~402.731(1), 39.0124~~ FS. Law Implemented 402.40, ~~402.731(1)~~ FS. History—New \_\_\_\_\_.

65C-33.013 "Supervising for Excellence" Trainer Certification.

(1) It is not required that a trainer of the "Supervising for Excellence" classroom curriculum be a Florida Certified Child Welfare Trainer.

(2)(a) In order to be certified to train the Office of Family Safety approved "Supervising for Excellence" curriculum, an individual shall have at least one (1) year of prior child welfare/child protection supervisory experience, and shall have

successfully completed both the Train-the-Trainer course and a "Trainer Tools and Techniques" course provided by the Training Academy.

(b) This criteria does not preclude an agency from contracting with a credentialed expert trainer to train some portions of the "Supervising for Excellence" curriculum, provided that a trainer certified by the Training Academy to train "Supervising for Excellence" or other Department-approved curriculum is present at all times during the training.

(3) Every trainer who has the required prior supervisory experience and who currently trains the Office of Family Safety-approved "Supervising for Excellence" curriculum shall become certified by the Training Academy within nine (9) months of the effective date of this ~~r~~Rule, by either the successful completion of the Training Academy's Train-the-Trainer and "Trainer Tools and Techniques" courses, or by meeting the requirements of subsections (4) or (5) below.

(4) Any trainer who has the required prior supervisory experience, and who was a participant in the 2009 workgroup responsible for the redesign of the Office of Family Safety-approved "Supervising for Excellence" classroom curriculum may be certified to train it upon approval from the Department and the Training Academy ~~was issued a Certificate of Completion during the 2006 "Supervising for Excellence" Train-the-Trainer pilot~~ may submit a copy of that certificate to the Training Academy for certification to train the "Supervising for Excellence" curriculum.

(5) Any trainer who has the required prior supervisory experience and who has been certified by an entity other than the Training Academy may request Academy certification to train the Office of Family Safety-approved "Supervising for Excellence," classroom curriculum by submitting to the Academy documented verification of his or her experience and credentials.

(6)(a) The Department may approve other supervisory training curricula, which shall, at a minimum, contain the same elements as those trained in the Office of Family Safety-approved "Supervising for Excellence;" classroom curriculum.

(b) In order to request approval of other training curricula, said curricula as well as trainer credentials must be submitted to the Department. The trainer shall have been approved to train the substitute curriculum by the entity responsible for the development of the curriculum, and the trainer shall have at least one (1) year of prior child welfare/child protection supervisory experience.

Rulemaking Authority 402.40, ~~402.731(1), 39.0124~~ FS. Law Implemented 402.40, ~~402.731(1)~~ FS. History—New \_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-236.001	Annual Report Card
69O-236.002	Definitions
69O-236.003	Methodology
69O-236.004	Limitations and Exclusions
69O-236.005	Data Sources

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF FINANCIAL SERVICES**

**Finance**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
69V-40.002	Adoption of Forms

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 32, August 13, 2010 issue of the Florida Administrative Weekly.

In the body of the Notice of Change, item #4 references “69V-49.002(1)(b)5., F.A.C.” The correct reference is “69V-40.002(1)(b)5., F.A.C.”

**Section IV  
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver**

**DEPARTMENT OF EDUCATION**

NOTICE IS HEREBY GIVEN THAT on August 11, 2010, the Department of Education has issued an order.

On July 16, 2010, Taylor County Christian Academy filed an Emergency Petition for a One-Time Variance or Waiver from subsection 6A-6.03315(2), F.A.C. (DOE Agency Case No.: DOE-2010-2121). The notice of the receipt of the emergency petition was noticed in the July 30, 2010, Florida Administrative Weekly. The Department issued an order on August 11, 2010, Denying Emergency Petition for Variance or Waiver of Rule 6A-6.03315, F.A.C., Private School Scholarship Compliance, with the conclusion that the Petition does not identify any specific facts constituting an emergency required by paragraph 28-104.004(2)(a), F.A.C., and the Petition does not allege that any immediate danger to the public health, safety, or welfare exists. Also on August 11, 2010, the Department issued an Order Denying Petition for Variance or Waiver of subsection 6A-6.03315(2), F.A.C., Private School Scholarship Compliance, with the conclusion that the purpose of the underlying statutes cannot be achieved through the means requested, the application of the rule does not create a substantial hardship, and that application of subsection 6A-6.03315(2), F.A.C., does not violate principles of fairness.

A copy of the Order may be obtained by contacting: Lynn Abbott, Agency Clerk at (850)245-9661 or [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org). A copy may also be obtained from the Department’s website at: [https://app1.fldoe.org/DOE\\_Calendar/default.aspx?WhichCalendar=4](https://app1.fldoe.org/DOE_Calendar/default.aspx?WhichCalendar=4).

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on August 12, 2010, the Criminal Justice Standards and Training Commission has issued an order.

On June 29, 2010, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-20.0014(3)(d), F.A.C., by Brevard Community College on behalf of breath test instructor, Robert Wagner. The rule requires specialized topics instructors to meet certain criteria prior to teaching courses in their specialized topic area, in this case, alcohol breath tests. Petitioner asserts that instructor Wagner completed all aspects of certification as a specialized topics instructor and submitted paperwork to the College’s Program Specialist for Breath Test Operator certification. That specialist left employment with the College without submitting the paperwork to the CJSTC for processing. Petitioner believed that his certification as a breath test instructor had been granted and taught five separate breath test operator courses for the College from June 8, 2009 to February 1, 2010. The Petitioner and the College argue that the failure to comply with all administrative requirements of the rule did not jeopardize the delivery of instruction by Petitioner. Petitioner requested a permanent waiver of paragraphs 11B-20.001(3)(d) and 11B-20.0016(1)(a)-(c), F.A.C., and that his certification as a breath test instructor be recognized as