

Module 1: Florida's Child Protection System



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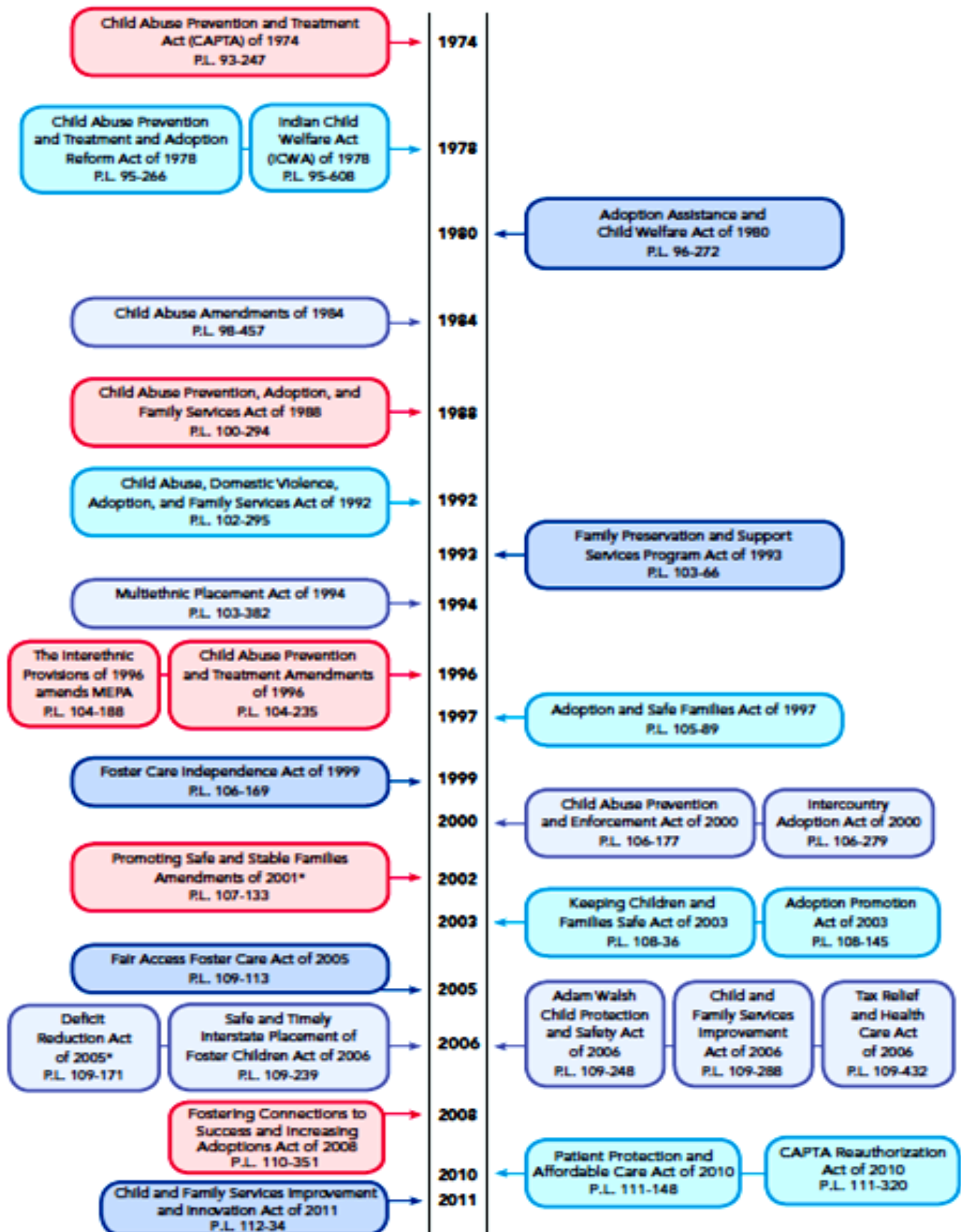
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*Some acts were enacted the year following their introduction in Congress.

Legal Hierarchy for Child Protection

United States Constitution

- Forms the outline for our governmental system.
- Upholds the rights of families to “due process of law” in dependency cases.

Federal Statutes

- Focuses on what states are required to do (as opposed to what parents, children, and you must do).
- Failure to follow federal law often results in loss of federal funding.

State Statutes

- The dominant reference when dependency cases reach the courts.
- Determine the way the case is conducted and what laws the parents must obey.
- Answer the majority of legal questions regarding the dependency legal process.
- Quoted by attorneys and relied on by judges when making decisions regarding reasonable efforts, placements, judicial reviews and permanency.

Administrative Codes

- Also known as “Rules,” which is short for “Rules of Practice and Procedure”.
- Provides clarification where there are questions in applying state or federal law.
- Fills in the details necessary to turn a principle into daily reality.

The Florida Rules of Juvenile Procedure

- Govern how attorneys within DCF’s Children’s Legal Services operate and include:
- Explain how the laws can be translated into court practice.
- Guide attorneys on courtroom procedures in dependency cases.
- Explain the purposes of and the requirements for court hearings.
- Provide instruction regarding content required within petition/court documents.

Operating Procedures

- Must be consistent with Florida Administrative Code, state, federal and constitutional laws.
- DCF’s Practice Guidelines provide agency-specific guidance.
- Clarify the day-to-day activities required by each job within the child protection system.

Federal Laws Impacting Child Protection

The Adoption and Safe Families Act of 1997 (ASFA)

- In 1997, Public Law 105-89, the Adoption and Safe Families Act, was enacted by the federal government and amended P.L. 96-272.
- Declares that the child's health and safety must be the paramount concern.
- Although safety is the top concern, ASFA still requires that states:
 - Preserve and reunify families (when accomplishable without jeopardizing child safety)
 - Place the child in a timely manner
 - Finalize permanent placement within 12 months.
- When child safety cannot be ensured and the child may not return to the parents' care, and reasonable efforts have been made consistent with the case plan, the state must petition for the termination of the parental rights of each parent to achieve permanency for the child in a timely manner unless:
 - The child is being cared for by a fit and willing relative.
 - The child is placed in care of an individual under legal guardianship.
 - Compelling reasons have been documented as to how reunification, adoption, placement with a relative, guardianship are not appropriate for the child but another planned permanent living arrangement has been identified and is in the child's best interest.
 - The state has not provided the services necessary for the safe return of the child.
 - The federal government provides technical assistance to communities to reach targets for adoptions or alternative permanent placements for children in licensed out-of-home care.
 - ASFA preserves reasonable parenting by stating: "nothing in this act is intended to disrupt the family unnecessarily or to intrude inappropriately into family life to prohibit the use of reasonable methods of parental discipline, or prescribe a particular method of parenting".

Seven Outcomes: (S-safety, P-permanency, WB-well-being) for the child must be documented & are audited by the Federal government for quality:

- Outcome S1: Children are first and foremost, protected from abuse and neglect.
- Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.
- Outcome P1: Children have permanency and stability in their living situations.
- Outcome P2: The continuity of family relationships and connections is preserved for children.
- Outcome WB1: Families have enhanced capacity to provide for their children's needs.
- Outcome WB2: Children receive appropriate services to meet their educational needs.
- Outcome WB3: Children receive adequate services to meet their physical and mental health needs.

Quality of Practice Standards: (CPI and CM)

- Relates the federal outcomes, and state guidelines to specific job tasks of each child protection role.

Interstate Compact on the Placement of Children (ICPC)

- Establishes procedures for all states when placing children across state lines.
- Sending state retains court jurisdiction during placement to ensure that the child can return, if necessary, and are financially responsible for the child if parents, relatives, or other financial assistance are not available in the receiving state.
- Placement of a dependent child under court jurisdiction from one state into another state without the approval of the receiving state Compact Administrator is an illegal child placement and a violation that may be subject to penalties of the Compact.

Multi Ethnic Placement Act/Inter Ethnic Placement Provision (MEPA)

- Prohibits the delay or denial of any adoption or placement in foster care due to the race, color, or national origin of the child or of the foster or adoptive parents.
- Requires states to provide for diligent recruitment of potential foster and adoptive families who reflect the ethnic and racial diversity of children for whom homes are needed.

The Indian Child Welfare Act (ICWA)

- Protects Native American heritage under federal law_
- If a Native American child is the subject of a dependency case, the tribal court may have control over the case or be permitted to intervene in the circuit court case.
- Requires you to always determine if a child is of American Indian descent recognized by the federal government under ICWA.
- The % of Indian blood necessary to qualify varies by tribe; the chief of the tribe determines eligibility.
- DCF and its providers have no authority on an Indian reservation unless there is a signed agreement to the contrary.
- DCF does have the authority to respond in situations if the Indian child does not live on a reservation; however, immediate contact must be made with the tribal liaison.
- Upon receipt of an intake, no matter where the child lives, you must locate and follow any agreement existing between the Indian tribe and Agency.
- While emergency removal is allowed off the reservation, the child's Indian parents, custodians, and the tribe must be notified.
- In order for the Court to shelter the child, expert testimony regarding Indian issues must be heard. Findings of "clear and convincing" is the legal standard.(Legal standard is higher than for other removals.)

Immigrant Children -Special Immigrant Juvenile Status

- Immigrant children and families who do not have the legal authority to reside in the U.S. are affected by two federal laws passed by Congress in 1996.
- These laws make drastic changes to the eligibility of immigrant families and children to a host of federal benefits.
- Welfare Reform: Personal Responsibility and Work Opportunity Act of 1996 (PL 104-193)
- Immigration Reform: Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (PL 104-208).
- Special Immigrant Juvenile Status (SIJS) is a federal law that assists certain undocumented children in obtaining legal permanent residency.
- Persons under the jurisdiction of a juvenile court who are eligible for another planned permanent living arrangement due to drug abuse, or maltreatment may qualify for SIJS and based on that, apply for adjustment of status to a Lawful Permanent Resident.
- Typically SIJS is granted to children in dependency court who are placed in foster care.
- Children under the jurisdiction of the juvenile delinquency court may also be eligible for SIJS.
- Special Immigrant Juvenile States (SIJS) is a way for a dependent child to become a permanent resident of the United States (i.e. Get a "green card".)
- If the juvenile applies for this status and is successful, he or she may
 - remain in the U.S.,
 - work legally,
 - qualify for in-state tuition at college, and
 - in five years apply for U.S. citizenship.

If the application is denied, the child might be deported.

The Adoption Assistance and Child Welfare Act of 1980

- Public Law 96-272; modified by Public Law 105-89 (ASFA)
- Sets national minimum standards for key activities within states' child welfare (licensed out-of-home care) systems.
- Designed to address "foster care drift," or situations when children are trapped in the system and move from foster home to foster home with no hope of having a permanent family.
- Applies to all children in out-of-home placements who have not achieved permanency; including a relative/non-relative placement.
- Designed to move children toward a permanency goal as quickly as possible while protecting their best interests.
- Requires that case plans develop permanency goals and are reviewed every six months to ensure goals are revised and updated.

Child and Family Services Improvement and Innovation Act of 2011 (P.L. 112-34)

Enacted September 30, 2011

- Requires states to develop and implement a plan for oversight and coordination of health care services for any child in foster care to include an outline of: The monitoring and treatment of emotional trauma associated with a child's maltreatment and removal from home.
- Requires states to establish protocols for the appropriate use and monitoring of psychotropic medications.
- Requires states to establish services and activities to:
 - reduce the length of time children under age 5 are without a permanent family.
 - address the developmental needs of such children who receive benefits or services.
- Requires monthly caseworkers visits to children in out-of-home care is at least 90% (raised to 95% for FY 2015 and thereafter).
- Requires states to identify which populations are at the greatest risk of maltreatment and how services are targeted to them.
- Revised requirements for time-limited family reunification services provided to a child removed from the child's home and placed in out-of-home care, and to the child's parents or primary caregiver, in order to facilitate the child's safe, appropriate, and timely reunification with the parents or caregiver. Required services include:
 - Peer-to-peer mentoring and support groups for parents and primary caregivers.
 - Services and activities designed to facilitate visitation of children by parents and siblings.
- Requires states to meet the educational stability case plan requirement at the time of each placement change, not just at initial placement into foster care.
- Requires that each child age 16 and older in foster care receives a free copy of any consumer credit report each year until discharged from care and be offered in interpreting the credit report and resolving any inconsistencies.
- Renews through FY 2014 the authority of HHS to authorize States to conduct child welfare program demonstration projects.

CAPTA Reauthorization Act of 2010 (P.L. 111-320)

- Requires states (Governor and Secretary) to assure or certify that laws, policies, or programs exist for:
 - Laws identifying categories of mandated reporters.
 - Including fetal alcohol spectrum disorders in procedures for referral and development of a plan of safe care for substance-exposed newborns.
 - Including differential response in screening and assessment procedures.
 - Requiring that guardians ad litem be trained in early childhood, child, and adolescent development.
 - Providing that reunification not be required where a parent has committed interfamilial sexual abuse or must register with a sex offender registry
 - Ensuring the provision of technology to track CPS reports from intake through final disposition.

- Encouraging the appropriate involvement of families in decision-making
- Promoting and enhancing collaboration among child protective, substance abuse, and domestic violence agencies.
- Requiring training and programs that address the needs of unaccompanied homeless youth.
- Ensuring collaboration with community-based prevention programs and families affected by child abuse and neglect in the development of the State plan.
- Ensuring that the State, to the maximum extent possible, has coordinated its CAPTA State plan with its title IV-B State plan.
- Requires additional data in the annual State data reports, including:
 - The number of families that received differential response as a preventive service.
 - Caseload requirements and the average caseload for CPS workers.
 - The education, qualifications, and training requirements for CPS personnel
 - The number of children referred to CPS under policies established to address the needs of infants born affected by illegal substance abuse or fetal alcohol spectrum disorder.
 - The number of children under age 3 involved in a substantiated case of child abuse or neglect who were eligible for referral to agencies providing early intervention services and the number of those children who were actually referred.
- Requires:
 - Efforts to promote the adoption of older children, minority children, and children with special needs.
 - Recruitment of prospective adoptive families for children in foster care, including developing and using procedures to notify family and relatives when a child enters the child welfare system.

Patient Protection and Affordable Care Act (P.L> 111-148)

Enacted March 23, 2010

- Extended Medicaid coverage to former foster care children younger than age 26.
- Required the case review system for children aging out of foster care and independent living programs to include information about the importance of having a health-care power-of-attorney in transition planning.

Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L> 110-351)

Enacted October 7, 2008

- Creates a new plan option for States and Tribes to provide kinship guardianship assistance payments under title IV-E on behalf of children who have been in foster care of whom a relative is taking legal guardianship.
- Extends eligibility for Medicaid to children receiving kinship guardianship assistance payments.
- Amended the Chafee Foster Care Independence Program to allow services to youth who leave foster care for kinship guardianship or adoption after age 16.

- Amended the Education and Training Voucher Program to permit vouchers for youth who enter into kinship guardianship or are adopted from foster care after age 16.
- Permits states to extend title IV-E assistance to otherwise eligible youth remaining in foster care after reaching age 18 and to youth who at age 16 or older exited foster care to either a kinship guardianship or adoption, provided that they have not yet reached age 19, 20, or 21, as the State may elect, and are in school, employed, engaged in another activity designed to remove barriers to employment, or incapable of doing so due to a documented medical condition (effective October 1, 2010).
- Revises adoption assistance eligibility criteria to delink the adoption assistance program from the Aid to Families with Dependent Children requirements.
- Phases-in, from FY 2010 to FY 2018, the revised adoption assistance eligibility criteria based on whether the child is defined as “an applicable child,” primarily related to the age of the child in the year the agreement is entered into.
- Allows federally recognized Indian Tribes, Tribal organizations, and Tribal consortia to apply to receive title IV-E funds directly for foster care, adoption assistance, and kinship guardianship assistance (effective October 1, 2009).
- Requires title IV-E agencies to identify and notify all adult relatives of a child, within 30 days of the child’s removal, of the relatives’ options to become a placement resource for the child.
- Requires each child receiving a title IV-E foster care, adoption, or guardianship payment to be a full-time student unless he or she is incapable of attending school due to a documented medical condition.
- Requires title IV-E agencies to make reasonable efforts to place siblings removed from their home in the same foster (out-of-home) care, adoption, or guardianship placement.
- Permitted title IV-E agencies to waive on a case-by-case basis a non-safety licensing standard for a relative foster family home.
- Requires states to ensure coordination of health care services, including mental health and dental services, for children in foster care.
- Requires that, 90 days prior to a youth’s emancipation, the caseworker develop a personalized transition plan as directed by the youth.
- Requires that a case plan include a plan for ensuring the educational stability of the child in foster care.

Child and Family Services Improvement Act of 2006 (P.L. 109-288)

Enacted September 28, 2006

- Requires states to describe standards for the content and frequency of caseworker visits for children in foster care that, at a minimum, ensure that:
 - The children are visited on a monthly basis.
 - The visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the children’s safety, permanency, and well-being.
- Requires certain foster care proceedings to include consultation in an age-appropriate manner with the child who is the subject of the proceeding.

Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248)

Enacted July 27, 2006

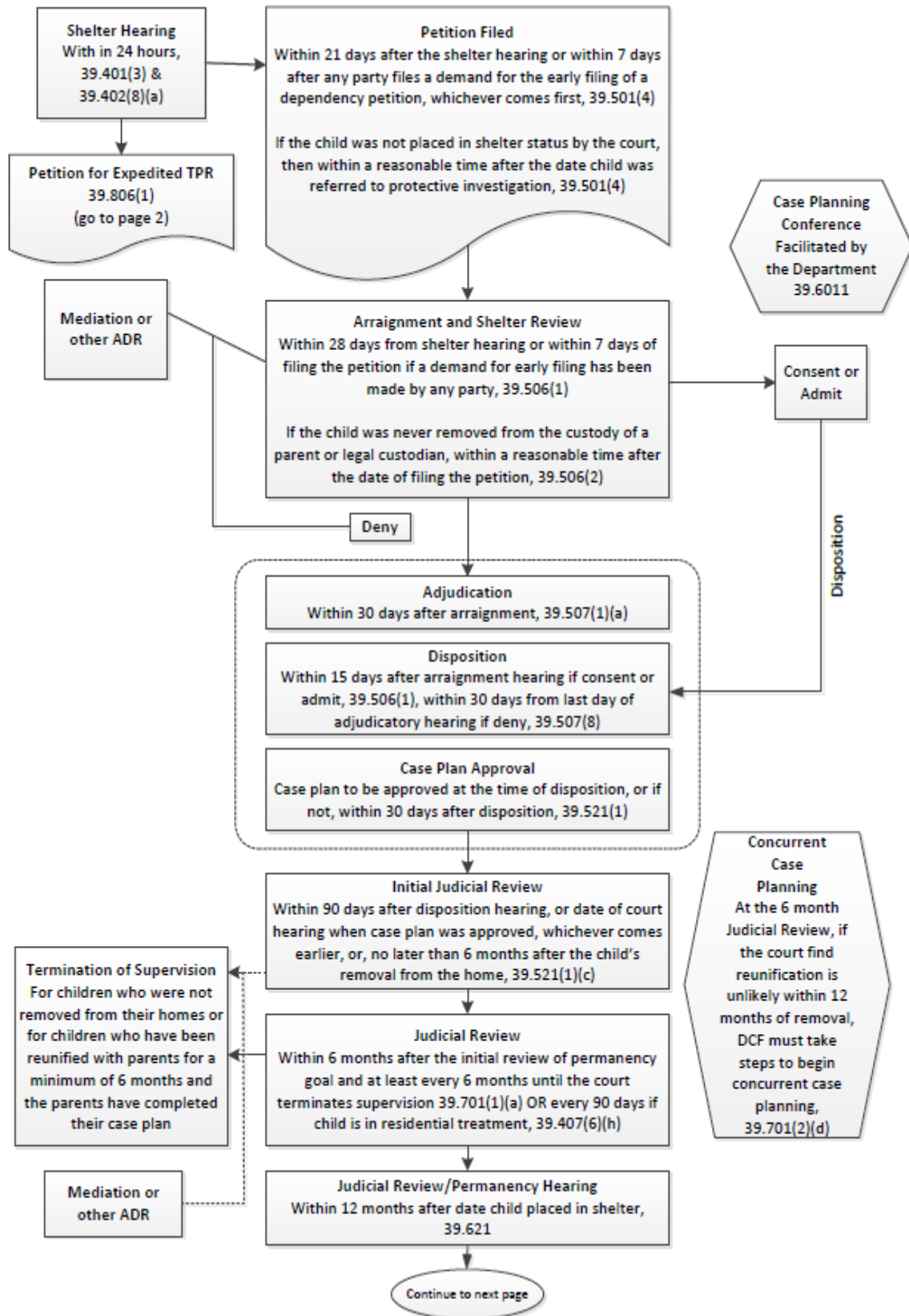
- Requires (1) fingerprint-based checks of the national crime information databases (NCID) for prospective foster or adoptive parents and (2) checks of state child abuse and neglect registries in which the prospective foster or adoptive parents and any other adults living in the home have resided in the preceding 5 years.
- Requires states to comply with any request for a child abuse registry check that is received from another state.

Safe and Timely Interstate Placement of Foster Children Act of 2006 (P.L. 109-239)

Requires state to:

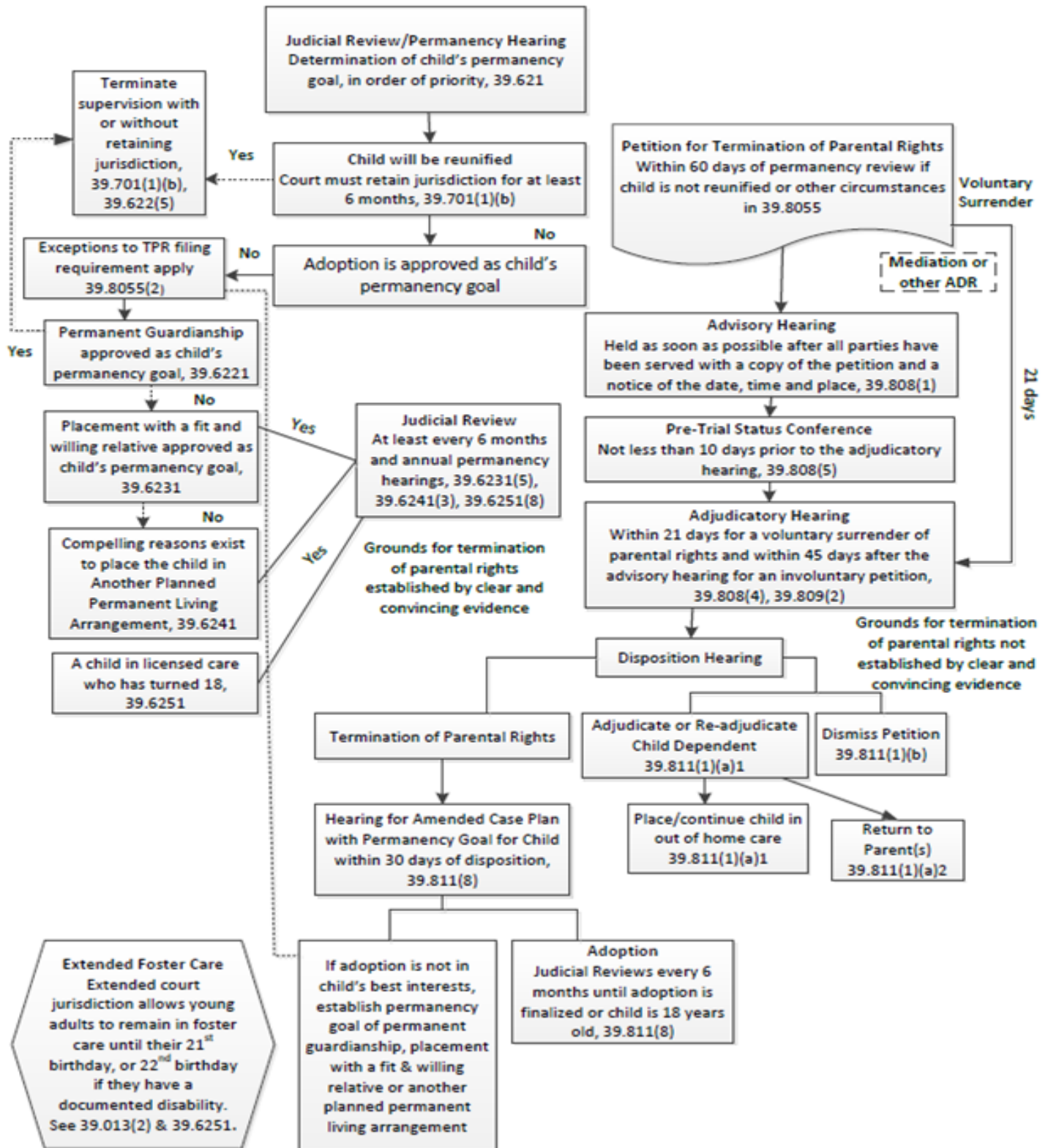
- Have in effect procedures for orderly and timely interstate placement of children
 - Complete home studies requested by another state within a specified period, which is 60 days in most cases but up to 75 days if specified circumstances warrant an extension.
 - Accept studies received from another state within 14 days unless reliance on the report would be contrary to the child's welfare.
- Requires a child's health and education record to be supplied to the foster parent or foster care provider at the time of placement and to provide it to the child at no cost when he/she leaves foster care by reason of having attained the age of majority
- Provides for a relative caregiver, foster parent, and pre-adoptive parent's right to be heard in certain proceedings respecting their foster child.
- Requires state courts to ensure that foster parents, pre-adoptive parents, and relative caregivers of a child in foster care are notified of certain proceedings held with respect to that child.

DEPENDENCY CASE MANAGEMENT FLOWCHART



DEPENDENCY CASE MANAGEMENT FLOWCHART

(Continued)



Unit 1.2: Guiding Principles

The Child Welfare Core Principles

The Child Welfare System operates from core principles mandated by Florida Statute 39.001. These principles are:

1. The health and safety of the children served shall be of paramount concern.
2. The prevention and intervention by the child protection system should engage families in constructive, supportive and non-adversarial relationships.
3. The prevention and intervention should intrude as little as possible into the life of the family and be focused on clearly defined objectives.
4. The prevention and intervention should be based upon outcome evaluation results that demonstrate success in protecting children and supporting families.

Performance Measures

The following information is available under the **Performance and Planning Tab** located on the DCF website (MYFLFamilies.com):

- **Contracts** shows the measures that are in all CBC Lead Agency contracts;
- **Legislative Measures** show the federal measures that are required and tracked by the federal government and Florida Legislature.

Scorecards are posted monthly which also display performance on federal and many other measures.

- **CBC Scorecard**

The CBC Scorecard was developed in conjunction with the 18 community-based care lead agencies across the state. The scorecard evaluates the lead agencies on 12 key measures to determine how well they are meeting the most critical needs of these at-risk children and families.

- **CPI Scorecard**

The CPI scorecard is used to measure the standards of our child protective investigations across our regions. This scorecard looks at nine important measures to ensure a quick response time, appropriate case reviews and successful outcomes for children and families.

Florida's child welfare system also has quality review methods that systematically and consistently review cases to determine how well the system achieves results and where improvements could be made.

Main Principles of Florida's Code of Ethics*

1. Confidentiality Laws

- A set of rules or a promise that limits access or places restrictions on certain types of information.

2. Conflict of Interest

- A situation in which a person or organization is involved in multiple interests (financial, emotional, or otherwise), one of which could possibly corrupt the motivation of the individual or organization.

3. Derogatory Language

- Expressing a low opinion of someone or something : showing a lack of respect for someone or something

4. Dishonesty

- Act without honesty: used to describe a lack of probity, cheating, lying or being deliberately deceptive or a lack in integrity, corruption or treacherousness.

5. Fraud

- A deception practiced in order to induce another to give up possession of property or surrender a right.

6. Deception

- The inclination or practicing of misleading others through lies or trickery

7. Falsification of Records

- To falsify, amend, knowingly make incorrect entries, or fail to make timely essential entries into the consumer record.

8. Exploitation of Clients/Sexual Relationships

- To take advantage of something (a person, situation, etc.), for one's own end; Imposing your own desires upon a consumer based on your position.
- Engaging in sexual misconduct with a consumer, family member or guardian of consumer during the period of time services are being rendered to the consumer and a minimum of two years after the professional relationship has terminated

9. Impairment

- Any mental, physical, or behavioral health related adversity that interferes with their professional functioning.

10. Misrepresentation/Misuse of Position

- Conveying a wrong message to deceive another to commit a certain act; to use your authority to obtain self-interests.

11. Unethical Conduct of Colleagues

- Knowingly becoming involved in, condoning or failing to report misconduct of other staff.

*As an employee or agent of the Department, you are obligated to follow both the Florida Code of Ethics, CF OPERATING PROCEDURE, NO. 60-05, Chapter 5. In addition once you become a certified child welfare professional, you are obligated to follow the Code of Ethical and Professional Conduct published by the Florida Certification Board

STATE OF FLORIDA
DEPARTMENT OF CHILDREN AND FAMILIES
CF OPERATING PROCEDURE, NO. 60-05, Chapter 5
October 9, 2013

CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES

5-1. Purpose. This operating procedure establishes a uniform process for department compliance with the provisions of the Code of Ethics for Public Officers and Employees. Each employee is required to understand the requirements of the Statutory Code of Ethics for Public Officers and Employees found in Chapter 112, Part III, Florida Statutes.

5-2. References.

- a. Chapter 112, Part III, Florida Statutes (F.S.), Code of Ethics for Public Officers and Employees.
- b. "Guide to the Sunshine Amendment and Code of Ethics for Public Officers and Employees," State of Florida Commission on Ethics. (A PDF copy of this "Guide" may be found by clicking on "Publications" at the Commission on Ethics website at www.Ethics.State.fl.us.)
- c. Article 1, section 24, Constitution of the State of Florida.
- d. Article II, section 8, Constitution of the State of Florida.
- e. Executive Order 11-03 Office of the Governor, dated January 4, 2011.

5-3. Explanation of Terms

a. Advisory Body. Any board, commission, committee, council, or authority, however selected, whose total budget, appropriations, or authorized expenditures constitute less than one percent of the budget of the agency it serves or \$100,000, whichever is less, and whose powers, jurisdiction, and authority are solely advisory and do not include the final determination or adjudication of any personal or property rights, duties, or obligations, other than those relating to internal operations.

b. Employee. Any person employed in an established position in the Senior Management Service, Selected Exempt Service, Career Service, or paid from Other Personal Services (OPS) funds.

c. Entity. Any individual, partnership, association, corporation (for profit or not for profit), utility, or other organization, whether public or private, doing business with or subject to operating procedures of the department.

d. Ethics Officer. An employee, designated by the secretary, who is responsible for promoting the Code of Ethics and ensuring that employees responsible for adhering to the Code of Ethics become familiar with the department ethics policy as well as public records and open meetings requirements.

e. Financial Interest. Any arrangement whereby an employee acquires an ownership or equity interest or the right to acquire an ownership or equity interest, in an entity.

f. Gift. Any thing, benefit or privilege accepted by a person or on that person's behalf, whether directly or indirectly, for that person's benefit, and for which no payment is made.

(1) A "gift" can include real property or the use thereof; tangible or intangible personal property or the use thereof; a preferential rate or terms on a transaction not available to others similarly situated; forgiveness of a debt; transportation (unless provided by an agency in relation to officially approved governmental business), lodging, or parking; food or beverage; dues, fees and tickets; plants and flowers; personal services for which a fee is normally charged by the provider; and any other thing or service having an attributable value.

(2) A "gift" does not include:

(a) Salary, benefits, services, fees, commissions, or expenses associated primarily with the individual's employment;

(b) An honorarium or an expense related to an honorarium event paid to an employee or the employee's spouse;

(c) An award, plaque, certificate or similar personalized item given in recognition of the employee's public, civic, charitable or professional service;

(d) An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization;

(e) The use of a public facility or public property, made available by a governmental agency, for a public purpose;

(f) Transportation provided to a public officer or employee by an agency in relation to officially approved governmental business; or,

(g) Items provided directly or indirectly by a state, regional or national organization which promotes the exchange of ideas between, or the professional development of, governmental officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization, or officials or staff of a governmental agency that is a member of that organization.

g. Honorarium. Payment of money or anything of value, directly or indirectly to an employee, or to any other person on behalf of the employee, as compensation for an oral presentation (includes recordings or broadcast over the media) or written document for publication (other than a book), which is related to the employee's public position.

h. Lobbyist. A person who is employed and receives payment, or who contracts for economic consideration, for the purpose of lobbying, or a person who is principally employed for governmental affairs by another person or governmental entity to lobby on behalf of that other person or governmental entity. The term does not include: 1) an attorney or other person representing a client in a judicial or administrative proceeding or formal hearing before an agency, board, commission or other authority of the state; 2) an employee of an agency or a legislative or judicial branch entity acting in the normal course of his or her duties; 3) a confidential informant who is providing or wishes to provide confidential information to be used for law enforcement purposes; or 4) a person who lobbies to procure a contract pursuant to chapter 287 which contract is less than the threshold for CATEGORY ONE as provided in s.

287.017(1)(a). The Florida Legislature maintains a website of all principals and executive branch lobbyists, which should be consulted by employees (<http://www.leg.state.fl.us>).

i. Principal of a Lobbyist. The person, firm, corporation, or other entity which has employed or retained a lobbyist.

j. Prohibited Source.

(1) Any person, organization or corporation having a special interest in department programs or policies.

(2) Any person, organization or corporation that provides goods or services to the agency under a contract or agreement, or is seeking such business with the agency.

(3) Any person, organization or corporation, which conducts activities or operations that are regulated by the agency.

(4) Any lobbyist or principal of a lobbyist (see Governor's Code of Ethics, Section VII, D for additional guidelines on gifts from lobbyists).

k. Public Officer. Any person elected or appointed to hold office in any agency, or any person serving on an advisory body.

l. Relative. An individual who is related to an employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the employee or who otherwise holds himself or herself out as or is generally known as the person whom the employee intends to marry or with whom the employee intends to form a household, or any other natural person having the same legal residence as the employee. (Same as definition in Chapter 112, Part III, Florida Statutes.)

m. Reporting Individual. A specified state employee as defined in paragraph 5-3o of this operating procedure.

n. Special Interest. Any person, organization or corporation that attempts to influence the outcome of a specific department policy, contract, or program, either for its benefit or for the benefit of those it represents, is considered to have a special interest.

o. Specified State Employee. The following categories of specified state employees are provided by the Commission on Ethics:

(1) Legal counsel, assistant counsel, or hearing examiner;

(2) Each appointed secretary, assistant secretary, deputy secretary, executive director, assistant executive director, or deputy executive director of each state department, commission, board, council, and unless otherwise provided, the division director, assistant division director, deputy director, bureau chief and assistant bureau chief of any state department or division, or any person having the power normally conferred upon such persons by whatever title;

(3) The superintendent or administrator of a state mental health institute established for training and research in the mental health field; or the superintendent or director of any major state institution or facility established for corrections, training, treatment or rehabilitation; and,

(4) Business managers, purchasing agents having the power to make any purchase exceeding the threshold amount provided for in section 287.017, F.S. for Category One, finance and accounting directors, human resources officers, and grants coordinators for any state agency.

5-4. Principles.

a. As stewards of the public trust, department employees shall use the powers and resources of the department to further the public interest and not for any financial or personal benefit or privilege.

b. The compensation, employee benefits and reimbursement received from the State of Florida shall be the sole financial or material benefit derived from employment in the department.

c. Department employees shall safeguard their ability to make objective, fair and impartial decisions by not accepting any gift, benefit or privilege that might appear to influence or reward a specific or future decision. Employees should avoid any conduct (whether in the context of business, financial or social relationships) that might undermine the public trust, whether that conduct is unethical or lends itself to the appearance of ethical impropriety.

d. Foremost concern among the goals of the code is to promote the public interest and maintain the respect and trust of the people in their government.

e. The ethics laws generally consist of two types of provisions: those prohibiting certain actions or conduct; and those requiring that certain disclosures be made to the public.

5-5. Prohibited Actions or Conduct.

a. Employees shall not accept a gift valued at over \$25.00, or from prohibited sources.

b. Employees as defined in paragraphs 5-3m and 5-3o of this operating procedure may not accept any gift from a non-lobbyist, regardless of value.

c. No employee may accept a gift unless the employee can answer “no” to each of the following questions:

(1) Is this gift given or accepted with the intent to influence the employee’s official action or judgment?

(2) Does the employee know, or with the exercise of reasonable care should know, that the intent of the gift is to influence official action?

(3) Is the value of this gift more than \$25? (Employees defined in paragraphs 5-3m and 5-3o may not accept any gift from a non-lobbyist, regardless of value.)

(4) Has the employee accepted multiple, repeated gifts (even if nominal in value) from the same source, such that the gifts taken in the aggregate lend themselves to the appearance that they circumvent the prohibition against gifts?

d. The following are exceptions to the prohibitions on the acceptance of gifts provided in paragraphs 5a and 5b above:

(1) Gifts from relatives (gifts, regardless of value, can be accepted from relatives, as defined by Chapter 112, Florida Statutes), unless the relative is a lobbyist or the principal of a lobbyist, in which case the general prohibition on gifts from lobbyists applies. Employees who are married to or involved in a personal relationship with a lobbyist or the principal of a lobbyist should consult with the Department's Ethics Officer on how to address this situation.

(2) Gifts (including but not limited to birthday and/or anniversary gifts and gifts of hospitality) received from personal friends in the ordinary course of friendship, regardless of value, provided any such personal friend is not:

(a) A lobbyist; or,

(b) The partner, firm, member, employer, employee or principal of a lobbyist; or,

(c) A person having a special pecuniary interest (either individually or through a corporation or organization) in a matter pending before a State agency and/or the Office of the Governor/Lieutenant Governor; or,

(d) A person who (either individually or through a corporation) provides goods or services to the State under contract or agreement; or,

(e) A person who (either individually or through a corporation or organization) is seeking such business with the State.

(3) On site consumption of food and refreshment at receptions and/or other events (even if value is over \$25.00), provided the employee's attendance at such event is an appropriate exercise of the employee's official duties, and the funding of such food and refreshment is not provided, directly or indirectly, by a lobbyist or principal of a lobbyist.

(4) Gifts (regardless of value) accepted on behalf of a governmental entity or charitable organization, or for which a public purpose can be shown, provided the Ethics Officer has approved such acceptance.

(5) Employees who are or were individuals served by the Department and who participate in support organizations recognized by the Department, where such support organizations' only function is to provide assistance and services to individuals previously in the foster care system, may receive items that will enhance their ability to perform their work functions. Such items may include, but are not limited to, professional attire (including gift certificates/cards to purchase attire), portfolios, planners, and luggage. Employees who are or were individuals served by the Department and who participate in support organizations recognized by the Department may also consume food or beverages provided by support organizations at events held or sponsored by the support organizations.

NOTE: These five limited exceptions permitting the acceptance of certain gifts valued at over \$25.00 do not, and are not intended to, permit the acceptance of any gift that is otherwise prohibited by Chapter 112, Florida Statutes.

e. Employees shall not solicit or accept anything of value, such as a gift, loan, reward, promise of future employment, favor, or service, that is based on an understanding that their official action or judgment would be influenced by such gift.

f. No employee, their spouse or minor child(ren) may accept any compensation, payment, or thing of value when they know, or with the exercise of reasonable care should know, that it is given to influence the employee's official action (s. 112.313(4), F.S.).

g. Employees are prohibited from using or attempting to use their official positions to obtain a special privilege for themselves or others (s. 112.313(6), F.S.).

h. Employees are prohibited from disclosing or using information not available to the public and obtained by reason of their public positions for the personal benefit of themselves or others (s. 112.313(3), F.S.).

i. Employees are prohibited from soliciting an honorarium which is related to their public office or duties.

j. No employee of the department acting in his or her official capacity as purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent or lease any realty, goods, or services for the department from any business entity in which the officer or employee or the officer's or employee's spouse, child, or other relative is an officer, partner, director, or proprietor or in which such officer or employee or the officer's or employee's spouse, child, or other relative, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease or sell any realty, goods, or services to the department, or to any political subdivision of any state agency.

k. An employee who participates in the decision-making process involving a purchase request, who influences the content of any specification or procurement standard, or who renders advice, investigation, or auditing, regarding the department's contract for services, is prohibited from being employed by a person holding such a contract with the department.

l. No employee may seek any appointment, employment, promotion or advancement in the unit in which he or she is serving or over which he or she exercises jurisdiction or control for a relative.

m. No Senior Management Service or Selected Exempt Service employee may personally represent another person or entity for compensation before the department for a period of two years after leaving his or her position, unless employed by another agency of state government, without the written permission of the Secretary. Such permission should only be granted after review by the Commission on Ethics.

n. A former employee who retired or terminated employment is prohibited from having any employment or contractual relationship for two years with any business entity (other than a public agency) in connection with a contract in which the employee participated personally and substantially by recommendation or decision while serving as a state employee.

o. Solicitation and acceptance of contributions for clients from prohibited sources must be done by volunteer coordinators or other staff who do not have any authority to make decisions that would benefit the donor. There must be a clear audit trail.

p. Employees offered gifts from prohibited sources should decline the offers. If that would publicly embarrass the giver, the gift should be returned or the giver reimbursed for the cost as soon as possible.

q. Any gift that could not be received directly may not be received indirectly. Thus, a prohibited gift cannot be accepted by the spouse of the employee for his/her benefit.

r. No employee shall have any outside employment or hold any contractual relationship with any business entity or any agency which is subject to regulation by, or is doing business with the Department of Children and Families. (See also CFOP 60-05, Chapter 10, paragraph 10-5a.)

s. Questions regarding the applicability of this operating procedure to specific situations should be sent by the appropriate regional director, deputy secretary or assistant secretary to the designated department's Ethics Officer.

t. Employees may sometimes be required to travel on State business, requiring them to spend evenings and weekends away from their homes and families. Per diem reimbursements often do not fully reimburse the employee for out-of-pocket travel expenses. As a matter of general policy, any frequent-flyer miles and/or bonus miles awarded to an employee as a result of State-reimbursed travel may be used for personal use by the employee.

u. Employees as defined in paragraphs 5-3m and 5-3o of this operating procedure are prohibited from traveling in a private aircraft unless they have obtained prior authorization from the Secretary of the Department, the Secretary's Chief of Staff, the Chief Ethics Officer for the Department, or his or her delegee.

5-6. Conflicts of Interest; Non-Acceptance of Honoraria.

a. No employee shall participate in an official capacity in any matter that may have an effect on his or her special private gain or loss, or the special private gain or loss of any relative or business associate.

b. Employees who are required by law to file full or limited public disclosure of financial interest or who meet the definition of procurement employee shall not accept honoraria or any other thing of monetary value (unless of nominal value) for speaking appearances or for written articles which are the result of the employee's public office or duties. These employees may, however, accept reimbursement of reasonably incurred expenses, if approved in advance by the department's Ethics Officer.

5-7. Disclosure Requirements.

a. Conflicts of interest may occur when employees are in a position to make decisions which affect their personal financial interest. This is why public officers and employees must publicly disclose their financial interests. The disclosure process reminds officials of their obligation to put the public interest above personal considerations. It also helps citizens

monitor the considerations of those who spend their tax dollars and participate in public policy decisions or administration. Required forms and filing information is as follows:

(1) CE FORM 1 – Statement of Financial Interests. Required of state officers and specified state employees as defined in s. 112.3145(1), F.S. (other than those officers who are required by law to file CE Form 6); and candidates for local office (unless they file CE Form 6 because they are seeking an elective constitutional office). State officers and specified state employees must file by July 1 of each year with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709..

(2) CE FORM 9 – Quarterly Gift Disclosure (Gifts over \$100). Any employee required by law to file full and public disclosure of financial interests on CE Form 1, and who receives a reportable gift, regardless of whether his or her position was vacated before the form was due; and any procurement employee who receives a reportable gift, regardless of whether his or her position was vacated before the form is due is required to file a Form 9. Filing dates are March 31, June 30, September 30, December 31; no later than the last day of the calendar quarter following the calendar quarter in which the gift worth over \$100 is received. This includes any employee who is involved in the procurement of contractual services or commodities as defined in s. 287.012, F.S., if the cost exceeds \$1,000 in any year, as well as any employee who participated in decisions, approval, disapproval, recommendations, preparation of any part of a purchase request, influence in the content of any specification or procurement standard, rendering of advice, investigation, or auditing or in any other advisory capacity. The form is filed with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709.

(3) CE FORM 10 – Annual Disclosure of Gifts From Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses. All employees who must file CE Form 1, including procurement officers, and who receive a reportable gift from a governmental entity for a public purpose, a direct support organization, or an honorarium for expenses must also file CE Form 10. Honorarium related expenses mean the actual and reasonable transportation, lodging, and food and beverage expenses related to an event at which a speech, presentation, or writing is made by the person and provided for or paid to the person and his or her spouse. File with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709, by July 1 if a reportable gift or expenses were received during the prior year.

(4) CE FORM 2 – Quarterly Client Disclosure. Employees who are state officers and specified state employees as listed above, as well as elected constitutional officers, must file if they or a partner or associate of their professional firm represent a client for compensation before an agency at their level of government. CE Form 2 is filed April 15, July 15, October 15, January 15, for the preceding quarter if there is something to report, with the Commission on Ethics, P.O. Drawer 15709, Tallahassee, Florida 32317-5709. .

(5) CE FORM 3A – Interest in Competitive Bid for Public Business. Employees who are public officers and employees who have, or whose spouses or children have, certain prohibited business relationships under s. 112.313(3) and 112.313(7)(a), F.S., but submit a sealed bid to the department under a system of sealed, competitive bidding, and the official or his spouse or child has exerted no influence on bid negotiations, award, or specifications, shall file CE Form 3A prior to or at the time of the submission of the bid with the Department of State, Room 1801, The Capitol, Tallahassee, Florida 32399-0250.

(6) CE FORM 4A – Disclosure of Business Transaction, Relationship, or Interest, PART A - Disclosure of Transaction or Relationship Concerning Advisory Board Member. An advisory board member seeking a waiver from the appointing body or person of his prohibited business relationship under s. 112.313(3) and/or s. 112.313(7)(a), F.S. must file Form CE 4A with the appointing body or person that will be waiving the restrictions of 112.313(3) or (7), Florida Statutes, prior to the event requiring the waiver.

NOTE: To receive copies of one or more of these forms or for more information, contact the Commission on Ethics at (850) 488-7864.

b. All specified employees, public officers and members of certain advisory bodies must file Form 1 financial statements within 30 days of appointment, as well as meeting annual requirements.

c. Employees in Senior Management Service and Selected Exempt Service must file Form 10, Annual Disclosure of Gifts from Governmental Entities and Direct Support Organizations and Honorarium Event Related Expenses, within 30 days of appointment, as well as meeting annual requirements.

d. Members of advisory bodies are not required to file solely as a result of such membership unless the budgetary thresholds outlined in paragraph 5-3a are exceeded.

e. Human resources managers are responsible for updating the computer printout of positions in their service area that must file disclosure which is produced and sent each year by the Commission on Ethics.

f. The servicing human resources office is responsible for notifying employees appointed to specified positions of the requirement to file financial and gift disclosure.

g. Each employee is responsible for completing and submitting the appropriate disclosure forms to the Commission on Ethics.

h. Each public officer and employee has a duty to know and comply with all applicable disclosure requirements. Questions about financial disclosure may be addressed to the Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709, or by calling (904) 488-7864.

i. The region and headquarters legal counsels will provide assistance to employees regarding interpretation of the law upon request.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

DREW PARKER
General Counsel

SUMMARY OF REVISED, ADDED, OR DELETED MATERIAL

Revised paragraph 5-2e to reflect current Executive Order.



*Protecting the Citizens
of Florida*

Code of Ethical and Professional Conduct and Disciplinary Procedures

Effective Date: April 2014

Florida's Code of Ethics

Rules of Ethical and Professional Conduct

The FCB Code of Ethics set forth the rules of ethical and professional conduct which all applicants and certified professionals are expected to honor.

1. Professional Standards

1.1 An applicant or a certified professional shall meet and comply with all terms, conditions, or limitations of any professional credential they hold.

1.2 An applicant or a certified professional shall not perform services outside of their area of training, expertise, competence, or scope of practice.

1.3 An applicant or certified professional shall not in any way participate in discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, socio-economic status, political belief, psychiatric or psychological impairment, physical disability, or the amount of previous therapeutic or treatment occurrences.

1.4 An applicant or certified professional shall place their application or credential(s) on inactive status for any mental, physical, or behavioral health related adversity that interferes with their professional functioning.

1.5 An applicant or certified professional shall not practice during the period of any denial, suspension, revocation, probation, or other restriction or discipline on certification, license, or other authorization to practice issued by any certification authority or any state, province, territory, tribe, or the federal government.

1.6 An applicant or certified professional must maintain a high standard of ethical and professional conduct. The moral, ethical and legal standards of behavior of the certified professional are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities or reduce the public trust in applicants or certified professionals.

2. Criminal Activity

2.1 An applicant or certified professional shall report all arrests and case disposition, regardless of adjudication to any felony or first degree misdemeanor crime. Such report must be received within 72 hours of release from any state or federal confinement.

2.2 An applicant or certified professional shall not use, possess, or sell any unprescribed or illegal substance.

2.3 An applicant or certified professional shall comply with all federal and state laws.

3. Sexual Misconduct

3.1 An applicant or certified professional shall not engage in sexual misconduct with a consumer during the period of time services are being rendered to the consumer and a minimum of two years after the professional relationship has terminated.

3.2 An applicant or certified professional shall not engage in sexual misconduct with any family member or guardian of a consumer during the period of time services are being rendered to the consumer.

3.3 An applicant or certified professional shall not engage a supervisee in sexual misconduct during the period of time supervisory relationship exists.

4. Fraud-Related Conduct

4.1 An applicant or certified professional shall not present fraudulent documents when applying for certification, certification upgrades, or certification renewal.

4.2 An applicant or certified professional shall not prepare fraudulent certification documents for certification applicants.

4.3 An applicant or certified professional shall not use a title designation, credential or license, firm name, letterhead, publication, term, title, or document which states or implies an ability, relationship, or qualification that does not exist.

4.4 An applicant or certified professional shall not practice under a false name or under a name other than the name under which his or her certification or license is held

4.5 An applicant or certified professional shall not prepare, present, or participate in activities related to fraudulent billing or benefit claim under any employee benefit program or insurance policy/program.

4.6 An applicant or certified professional shall not produce, publish, create, or partake in the creation of any false, fraudulent, deceptive, or misleading advertisement.

5. Exploitation of Consumers

5.1 An applicant or certified professional shall not develop, implement, or maintain exploitative relationships with current or past consumers.

5.2 An applicant or certified professional shall not misappropriate property from a consumer.

5.3 An applicant or certified professional shall not enter into a relationship with a consumer which involves financial gain to the certified professional or a third-party resulting from the promotion or the sale of services unrelated to treatment.

5.4 An applicant or certified professional shall not recommend to a consumer any unnecessary, ineffective or unsafe device, treatment, procedure, product or service.

5.5 An applicant or certified professional shall not solicit gifts or favors from consumers.

5.6 An applicant or certified professional shall not offer, give, or receive commissions, rebates, or any other forms of remuneration for a consumer referral.

6. Safety & Welfare

6.1 When a condition of clear and imminent danger exists that a consumer may inflict serious bodily harm on another person or persons, an applicant or certified professional shall, consistent with federal and state confidentiality laws, take reasonable steps to warn any likely victims of the consumer's potential behavior.

6.2 When a condition of clear and imminent danger exists that a consumer may inflict serious bodily self-harm, an applicant or certified professional shall, consistent with federal and state confidentiality laws, take reasonable steps to protect the consumer.

7. Records Management

7.1 An applicant or certified professional shall not falsify, amend, knowingly make incorrect entries, or fail to make timely essential entries into the consumer record.

7.2 An applicant or certified professional shall follow all Federal and State regulations regarding consumer records.

7.3 An applicant or certified professional shall comply with all federal and state confidentiality laws.

8. Cooperation with the Board

8.1 An applicant or certified professional shall cooperate with a FCB disciplinary investigation or proceeding.

8.2 An applicant or certified professional shall not attempt to prevent or interfere with a complaint from being filed or FCB disciplinary investigation or proceeding to occur. Interference attempts may include but are not limited to: a. the use of threats or harassment against, or an inducement to, any person in an effort to prevent or attempt to prevent a complaint from being filed, prosecuted or completed; b. the use of threats or harassment against, or an inducement to, any consumer or witness in an effort to prevent them from providing evidence in an investigation, disciplinary proceeding or any other legal action; and c. the willful misrepresentation of facts before the disciplining authority or its authorized representative.

8.3 An applicant or certified professional shall report any violation of the Rules by filing a formal Ethics Complaint with the FCB. Complaints must be filed within no more than 30 calendar days of becoming aware of the violation.

8.4 An applicant or certified professional shall not file a false or misleading Ethics Complaint or information to the FCB.

8.5 An applicant or certified professional shall comply with all federal and state confidentiality requirements when submitting any information to the Board.

The Essence of Florida's Code of Ethics Worksheet

Write a description (15 words maximum) of the “essence” of each principle. Be prepared to present this statement to the group.

Ethical Principle	The Essence of the Principle
Know & Adhere to Florida Confidentiality Laws (39.202 F.S. 119)	
Dishonesty Fraud or Deception	
Falsification of Records	
Exploitation of Clients/Sexual Relationships	

Activity: Ethics Scenarios

SCENARIO 1: A child protective investigator commenced an investigation. The child victim's father told the PI that another investigator had been there 4 months ago and referred the family for non-judicial in-home services, but no one had ever contacted him again. This contradicted the information in FSFN; a case manager had documented that he had provided services to the family and conducted three home visits. The investigator notified his supervisor about these discrepancies. A review by the Inspector General of the Department uncovered that the case manager had not met with the family, had falsified FSFN case notes, and had forged the names of supervisors and caregivers on child services records and parents' names on home visit records.

Violations:

Rationale:

SCENARIO 2: A Case Manager picked up a 7 ½-month-old girl from a foster home to take her for a short visit with her mother. When the case manager did not return when expected and the foster parent was unable to reach her, the foster parent called the police. The baby was found hours later, when police responded to a report of a driver asleep behind the wheel. Police found the case manager in a drunken stupor in her car, with a half-consumed bottle of rum beside her. The baby was hungry, upset and crying in a car seat.

Violations:

Rationale:

SCENARIO 3: A protective investigator responded to an abuse intake on a mother who had just given birth. Two of the parents' other children had previously been removed. After interviewing the parents, the PI and a co-worker went to visit the children who were in relative care with an aunt and uncle. The children's uncle said that the PI conducted a search of personal items and clothing in dresser drawers. The uncle said he saw the PI put drug paraphernalia and three knives into a garbage bag and remove them from the home. The PI interviewed in this case and his co-worker believed they had the power to search through homes the same way that law enforcement would.

Violations:

Rationale:

SCENARIO 4: A protective investigator received an intake and contacted a case manager who had previously provided services to the family. The case manager confirmed she had worked with the child who, at that time, had been sheltered with the father. The PI sheltered the child with his paternal grandmother. The grandmother told the PI that the case manager was dating her son, the child's father. She said her son had told her all about his relationship with this case manager, including details about their sexual encounters. The case manager denied having an intimate relationship with the father, but said that she did meet him a couple of times for drinks and took him to a concert. She said the last time she spoke with him she explained they could only be friends and nothing else. She said she thought that it was all right for her to see the father because he was the non-offending parent and the case was closed by a magistrate.

Violations:

Rationale:

SCENARIO 5: A case manager took two teenaged girls, ages 14 and 15, to a Youth Center. They arrived an hour earlier than the girls' classes began, and they begged the case manager to let them stay in her car and listen to music. She left the girls in the car with the keys in the ignition while she went to the Courthouse. After she left, the girls decided to go get some breakfast while they waited. The 15-year-old drove the car first and hit a parked car while driving down a narrow street. So, the 14-year-old took the wheel. When the case manager returned to her car, she noticed that it was in a different parking space. She confronted the girls about driving her car and told them that since neither of them had a license, the legal and personal consequences could have been severe. Then, she took them back to the Youth Center. Later in the afternoon, the girls' foster parent telephoned and told the case manager that someone from the Youth Center had seen the girls driving her car. After the call, the case manager reported the incident to her supervisor.

Violations:

Rationale:

SCENARIO 6: A protective investigator completed a Child Care Authorization form for three children who did not meet eligibility requirements, using the name of a former investigator. Then, she convinced a specialist to process the form because she was a friend of the family, and they needed child care services. A total of \$1,800 worth of day care services were provided to the children over a six-month period.

Violations:

Rationale:

SCENARIO 7: A case manager was having difficulty gaining access to a home. Her co-workers said that another case manager in the unit knew the child victim's father and socialized with him and his extended family. She was also friends with the child's grandparents. The case manager asked the colleague in her unit who knew the family to accompany her when she next went to visit the child's home. The colleague entered the home with the assigned case manager, then waited outside for him while he completed his visit.

Violations:

Rationale:

SCENARIO 8: A case manager contacted a protective investigator and asked for information about a case involving two of her relatives. The PI refused to disclose any information, and the case manager became very upset and stated that she would access the information in FSFN herself. The PI reported this conversation to her supervisor. The investigation found that the case manager had looked up the case in FSFN and had spoken to at least one other colleague to complain about the nature of the information contained in the investigator's FSFN notes.

Violations:

Rationale:

Tools and Resources

Florida Department of Children and Families Intranet Website (Child Welfare System)

- <http://eww.dcf.state.fl.us/fsp/newpages/fsmain.shtml>

Center for Child Welfare Website

- <http://centerforchildwelfare.fmhi.usf.edu/index.shtml>

This site is your main source of information and training resources, including:

- A Comprehensive Resource Library by Subject Area
- A Comprehensive Video Training Library
- Frequently Asked Questions (FAQs)
The Center processes and responds to requests from customers for policy clarification. Answers are posted in the FAQ section for all customers to browse, search and view.
- Web Events
The Center sponsors and hosts live web events and other web conferencing services on various subjects. Interactive web events such as training, meetings, workgroup events, etc. are among the many ways this service is used. The Center provides technical assistance and support in using these services upon request.
- Online Training
The Center is credentialed by the Florida Certification Board to provide in-service training for re-certification of child welfare professionals and foster parents. The Center has hundreds of training videos available and is accessible 24 hours a day, seven days a week.
- The Center is also home to "Just in Time Training" (part of the Quality Parenting Initiative). This service responds to requests from foster parents for training topics and provides live and recorded training for foster parents, related caregivers and child welfare professionals. For more information visit www.jitfl.org

Florida Certification Board

- <http://flcertificationboard.org/>

The Florida Certification Board established, administers, and monitors certification for child welfare professionals.