

Texas Administrative Code

Title 37 Public Safety and Corrections
Part 11 Texas Juvenile Justice Department
Chapter 344 Employment, Certification, and Training

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Subchapter A Definitions and Applicability

§344.100 Definitions

Effective Date: 4/1/26

When used in this chapter, the following words and terms have the following meanings unless the context clearly indicates otherwise.

- (1) **Certification Exam**--An exam required by TJJJ that is given to individuals hired as a juvenile probation officer or juvenile supervision officer that tests the individual's competency in certain topics.
- (2) **Certification Period**--The 24-month period that starts on the first day of the month following the officer's birth month and ends on the last day of the officer's birth month. The first certification period also includes the time between the date of certification and the officer's next birth month. For example: An officer's birth date is June 5. The officer receives initial certification on August 10, 2018. The first certification period starts on August 10, 2018, and ends on June 30, 2021. The second certification period starts on July 1, 2021, and ends on June 30, 2023.
- (3) **Certified Officer (Officer)**--A juvenile probation officer, juvenile supervision officer, or community activities officer who is currently certified by TJJJ.
- (4) **Chief Administrative Officer**--Regardless of title, the person hired by a juvenile board who is responsible for the oversight of the day-to-day operations of a single juvenile probation department for a county or a multi-county judicial district.
- (5) **Community Activities Officer**--Regardless of title, an individual other than a juvenile probation officer or juvenile supervision officer whose position may require supervising juveniles in a non-secure setting within a juvenile justice program.
- (6) **Continuing Education**--Courses, programs, or organized learning experiences required to maintain certification and to enhance personal or professional goals.
- (7) **Conviction**--Any conviction or deferred adjudication for criminal conduct. A conviction does not include a juvenile adjudication.
- (8) **Direct Contact with a Juvenile**--The ability to: provide care, supervision, or guidance to a juvenile; to exercise any form of control over a juvenile; or to routinely interact with a juvenile.
- (9) **Direct, Unsupervised Access**--The ability to physically interact with juveniles in a juvenile justice program or facility without the accompanying physical presence of or constant visual monitoring by a certified officer or other authorized employee of the program or facility. For purposes of this chapter, direct, unsupervised access does not include interactions that are incidental and momentary.
- (10) **Facility Administrator**--An individual designated by the chief administrative officer or governing board of a juvenile justice facility as the on-site program director or superintendent of a juvenile justice facility.
- (11) **Grace Period**--The one-month period following the end of an officer's certification period.
- (12) **Juvenile Justice Facility ("facility")**--A facility that serves juveniles under juvenile court jurisdiction and that is operated solely or partly by or under the authority of the governing board or

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juvenile board or by a private vendor under a contract with the governing board, juvenile board, or governmental unit. The term includes:

- (A) a public or private juvenile pre-adjudication secure detention facility, including a short-term detention facility (i.e., holdover), required to be certified in accordance with [§51.12, Family Code](#);
 - (B) a public or private juvenile post-adjudication secure correctional facility required to be certified in accordance with [§51.125, Family Code](#); and
 - (C) a public or private non-secure correctional facility required to be certified in accordance with [§51.126, Family Code](#).
- (13) **Juvenile Justice Program ("program")**--A program or department that:
- (A) serves juveniles under juvenile court or juvenile board jurisdiction; and
 - (B) is operated solely or partly by the governing board, juvenile board, or by a private vendor under a contract with the governing board or juvenile board. The term includes:
 - (i) juvenile justice alternative education programs;
 - (ii) non-residential programs that serve juvenile offenders under the jurisdiction of the juvenile court or the juvenile board; and
 - (iii) juvenile probation departments.
- (14) **Juvenile Probation Department ("department")**--A governmental unit established under the authority of a juvenile board to facilitate the execution of the responsibilities of a juvenile probation department enumerated in [Title 3, Family Code](#), and [Chapter 221, Human Resources Code](#).
- (15) **Juvenile Probation Officer**--An individual whose primary responsibility and essential job function is to provide juvenile probation services and supervision duties authorized under statutory and administrative law that can be performed only by a certified juvenile probation officer.
- (16) **Juvenile Supervision Officer**--An individual whose primary responsibility and essential job function is the supervision of juveniles in a:
- (A) juvenile justice facility; or
 - (B) juvenile justice alternative education program operated by a department that also operates a juvenile justice facility.
- (17) **Professional**--The following persons are considered professionals for purposes of this chapter:
- (A) teachers certified as educators by the State Board for Educator Certification, including teachers certified by the State Board for Educator Certification with provisional or emergency certifications;
 - (B) educational aides or paraprofessionals certified by the State Board for Educator Certification;
 - (C) health-care professionals licensed or certified under the following chapters of the Occupations Code:
 - (i) [Chapter 301](#) (nurses);
 - (ii) [Chapter 155](#) (physicians);
 - (iii) [Chapter 204](#) (physician assistants);
 - (iv) [Chapter 256, Subchapter A](#) (dentists); or
 - (v) [Chapter 401](#) (speech-language pathologists and audiologists);
 - (D) mental health providers, as defined in [Chapter 343 of this title](#);

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- (E) qualified mental health professionals, as defined in [Chapter 343 of this title](#); and
 - (F) commissioned law enforcement personnel.
- (18) **SEMARC (search engine for multi-agency reportable conduct)**--A search engine that includes individuals who have engaged in conduct that has resulted in them being placed on a do not hire registry or having their occupational licenses revoked or that otherwise meets the definition of reportable conduct as set out in [Chapter 810, Health and Safety Code](#).

§344.110 Interpretation and Applicability

Effective Date: 9/1/24

(a) **Conflicting Standards.**

If a general provision contained in this chapter conflicts with a specific provision contained in another chapter promulgated by TJJD, the specific language controls.

(b) **Use of the Words “Including” and “Includes.”**

When used in this chapter, the words “including” and “includes” are to be understood as introducing a non-exhaustive list unless the context clearly indicates otherwise.

(c) **Applicability.**

- (1) This chapter applies to all juvenile justice programs and facilities in this state unless expressly stated otherwise.
- (2) All provisions of this chapter apply regardless of the date an individual is hired or begins service provision unless expressly stated otherwise.
- (3) All employment and education requirements in this chapter must have been completed prior to the date an individual begins employment in the position to which the requirements apply.

(d) **Waiver or Variance.**

The requirements in this chapter are not subject to a waiver or variance except as provided in this chapter.

Subchapter B Qualifications for Certification and Employment

§344.200 General Qualifications for Positions Requiring Certification

Effective Date: 9/1/24

(a) **Juvenile Probation Officer.**

To be eligible for certification as a juvenile probation officer, supervisor of a juvenile probation officer, or chief administrative officer, an individual must:

- (1) be at least 21 years of age;
- (2) have no disqualifying criminal history as described in this chapter;
- (3) have no criminal history as described in [§344.410\(a\) of this chapter](#) unless TJJD has reviewed it and determined the person is not ineligible for certification due to the criminal history;
- (4) have acquired a bachelor's degree conferred by a college or university accredited by an organization recognized by the Texas Higher Education Coordinating Board;
- (5) never have had any type of certification revoked by TJJD;
- (6) complete the training required by this chapter; and

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(7) pass the certification exam as required by [§344.700 of this chapter](#).

(b) Juvenile Supervision Officer.

To be eligible for certification as a juvenile supervision officer, an individual must:

- (1) be at least 21 years of age;
- (2) have no disqualifying criminal history as described in this chapter;
- (3) have no criminal history as described in [§344.410\(a\) of this chapter](#) unless TJJJ has reviewed it and determined the person is not ineligible for certification due to the criminal history;
- (4) have acquired a high school diploma or its equivalent as specified in [§344.204 of this chapter](#);
- (5) never have had any type of certification revoked by TJJJ;
- (6) complete the training required by this chapter; and
- (7) pass the certification exam as required by [§344.700 of this chapter](#).

(c) Community Activities Officer.

To be eligible for certification as a community activities officer, an individual must:

- (1) be at least 21 years of age;
- (2) have no disqualifying criminal history as described in this chapter;
- (3) have no criminal history as described in [§344.410\(a\) of this chapter](#) unless TJJJ has reviewed it and determined the person is not ineligible for certification due to the criminal history;
- (4) have acquired a high school diploma or its equivalent as specified in [§344.204 of this chapter](#);
- (5) never have had any type of certification revoked by TJJJ; and
- (6) complete the training required by this chapter.

§344.202 General Qualifications for Facility Administrators

Effective Date: 9/1/24

To serve as a facility administrator, an individual must:

- (1) obtain and maintain an active certification as a juvenile supervision officer in accordance with requirements of this chapter; and
- (2) have acquired a bachelor's degree conferred by a college or university accredited by an organization recognized by the Texas Higher Education Coordinating Board.

§344.204 Education Requirements

Effective Date: 9/1/24

(a) Juvenile Probation Officer.

To be eligible for certification as a juvenile probation officer, an individual must have acquired a bachelor's degree conferred by a college or university accredited by an organization recognized by the Texas Higher Education Coordinating Board.

(b) Juvenile Supervision Officer and Community Activities Officer.

- (1) Except as provided by subsection (c) of this section, to be eligible for certification as a juvenile supervision officer or community activities officer, an individual must meet one of the following educational requirements:
 - (A) a diploma from a high school accredited by a generally recognized accrediting organization or from a high school operated by the United States Department of Defense. TJJJ considers the following entities as generally recognized accrediting organizations:

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- (i) the Texas Education Agency or the equivalent agency in another state;
 - (ii) an entity approved by the Texas Private School Accreditation Commission; and
 - (iii) regional accreditation organizations such as:
 - (I) Middle States Association of Colleges and Schools;
 - (II) New England Association of Schools and Colleges;
 - (III) North Central Association of Colleges and Schools;
 - (IV) Northwest Accreditation Commission;
 - (V) Southern Association of Colleges and Schools; and
 - (VI) Western Association of Schools and Colleges;
 - (B) a high school equivalency certificate (e.g., GED) issued by the Texas Education Agency or equivalent agency in another state;
 - (C) a diploma or certificate of completion issued in a homeschool setting;
 - (D) a United States military record that indicates the education level received is equivalent to a United States high school diploma or high school equivalency certificate;
 - (E) a foreign high school diploma that meets the validation requirements established in [§344.206 of this chapter](#); or
 - (F) unconditional acceptance into a college or university accredited by an organization recognized by the Texas Higher Education Coordinating Board.
- (2) A department or facility may attempt to establish that an entity not listed in paragraph (1)(A) of this subsection is a generally recognized accrediting organization by submitting supporting documentation to the TJJD certification office. Based on the documentation, TJJD will determine whether the entity is a generally recognized accrediting organization.
- (3) Notwithstanding paragraph (1)(E) of this subsection, a department or facility may submit documentation to establish that a state agency in Texas or licensing entity in Texas has accepted a foreign high school diploma as sufficient to meet an employment or licensing requirement to have a high school diploma. TJJD will determine whether the high school diploma is sufficient to meet the certification criterion related to having a high school diploma.
- (c) **Waiver of Education Requirement for Military.**
- (1) This subsection applies only to a person who is a military service member or military veteran as those terms are defined in Chapter 55, Occupations Code who does not have a high school diploma or equivalent and holds a current license issued by another jurisdiction for a position that is substantially similar and with licensing requirements that are substantially similar to TJJD's certification requirements for a juvenile supervision officer or community activities officer, as determined by TJJD.
 - (2) A department or facility that wishes to hire a person described by paragraph (1) of this subsection in a position requiring certification as a juvenile supervision officer or community activities officer may request a waiver of the requirement that the person have a high school diploma or GED. The request must be submitted to TJJD's certification office on a form prescribed by TJJD and must include sufficient information regarding the person's credentials and experience to allow TJJD to determine if a waiver of the education requirement should be granted. Incomplete submissions may result in a denial of the waiver.

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§344.206 Validation Requirements for Foreign Diplomas

Effective Date: 2/1/18

- (a) A high school diploma issued by a foreign high school that does not meet the accreditation requirement in [§344.204\(b\)\(1\) of this title](#) must be accompanied by an evaluation of the diploma verifying that the high school education received is the substantial equivalent of a high school education received in the United States.
- (b) The evaluation must be performed by an evaluation service that is a member of the National Association of Credential Evaluation Services.
- (c) The department or facility may not accept the results of the evaluation unless the results are sent directly to the department or facility.
- (d) The department or facility may require the individual who is seeking employment to initiate the evaluation and pay any required fees.

§344.208 Persons Not Subject to Minimum Educational Requirements

Effective Date: 2/1/18

Individuals employed as juvenile probation officers prior to September 1, 1981, and who have maintained continuous employment as a juvenile probation officer since that date are not subject to the minimum educational requirements set forth in [Texas Human Resources Code §222.001](#) and in this chapter. A juvenile probation officer who experiences an interruption or lapse of employment as a juvenile probation officer must meet all current applicable employment, certification, and training requirements.

§344.212 Verification of Education Requirements

Effective Date: 2/1/18

A department or facility must require an applicant for a position requiring certification to provide the department or facility with official documentation that verifies the applicant meets the educational requirements for certification.

§344.230 Persons Who May Not Act as a Chief Administrative Officer, Facility Administrator, Juvenile Probation Officer, Juvenile Supervision Officer, or Community Activities Officer

Effective Date: 2/1/18

Pursuant to [Section 222.004, Texas Human Resources Code](#), a peace officer, prosecuting attorney, or other person who is employed by or who reports directly to a law enforcement or prosecution official may not act as a chief administrative officer, facility administrator, juvenile probation officer, juvenile supervision officer, or community activities officer or be made responsible for supervising a juvenile on probation.

Subchapter C Criminal History and Background Checks

§344.300 Criminal History Checks

Effective Date: 4/1/26

- (a) Department or facility policy must prohibit the following from having direct, unsupervised access to juveniles in a juvenile justice program or facility:
 - (1) any person with a disqualifying criminal history as described in [§344.400 of this chapter](#); and
 - (2) any person with a criminal history described in [§344.410\(a\) of this chapter](#), unless the person's criminal history has been reviewed by TJJD or the juvenile board or designee, as appropriate, and

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the review results in a determination that the person is not ineligible for certification, employment, or service in the position.

- (b) A criminal history check as described in this section must be conducted for:
- (1) an individual who is in a position requiring certification;
 - (2) an individual who is in a position eligible for optional certification who is seeking certification;
 - (3) an individual who may have direct, unsupervised access to juveniles in a juvenile justice facility or program and who is:
 - (A) an employee in a position neither requiring certification nor eligible for optional certification;
 - (B) an employee in a position eligible for optional certification who is not seeking certification;
 - (C) a volunteer;
 - (D) an intern; or
 - (E) an individual who provides goods or services under contract on the premises of a juvenile justice facility or program, except as provided in subsection (c) of this section; and
 - (4) an individual who may have direct contact with juveniles in a juvenile justice facility and who is:
 - (A) an employee in a position neither requiring certification nor eligible for optional certification;
 - (B) an employee in a position eligible for optional certification who is not seeking certification;
 - (C) a volunteer;
 - (D) an intern; or
 - (E) an individual who provides goods or services under contract on the premises of a juvenile justice facility or program, except as provided in subsection (c) of this section.
- (c) A criminal history check as specified in this section is not required for employees of a public school district who:
- (1) provide services in a juvenile justice facility or program; and
 - (2) have completed all criminal history checks required by the Texas Education Agency.
- (d) Before any individual listed in subsection (b) of this section begins employment or service provision:
- (1) the department or facility must ensure the individual has electronically submitted fingerprints using Fingerprint Applicant Services of Texas (FAST) and verify that the department is able to subscribe to the individual's Fingerprint-Based Applicant Clearinghouse of Texas (FACT) record;
 - (2) the department must subscribe to that individual's record in FACT; and
 - (3) the department must ensure the criminal history is reviewed as specified in this chapter and must ensure the reviewing entity has determined the person is not ineligible for certification, employment, or providing services based on the person's criminal history, in accordance with this chapter.
- (e) The department must maintain a FACT subscription for each individual in a position requiring a criminal history check for as long as the individual remains in such a position. This requirement applies regardless of the date employment or service provision began.
- (f) The requirements of this section do not apply to the juvenile's attorney, family members, managing conservator, guardians, individuals listed as a juvenile's approved visitors, or any other individual not listed in subsection (b) of this section.

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§344.302 Military History Checks

Effective Date: 2/1/18

- (a) If an individual who is subject to a criminal history check has prior military experience, the department or facility must review the applicant's most recent separation or discharge documents.
- (b) In the event separation or discharge documents reflect character of service that is anything other than "honorable discharge" or "honorably discharged," the department or facility must:
 - (1) attempt to obtain authorization from the applicant for the release of information; and
 - (2) request additional information from the appropriate governmental entity to determine whether the reason for discharge was the result of disqualifying criminal conduct.
- (c) Before an individual with prior military history begins employment or service provision, the department or facility must use the information described in subsections (a) and (b) of this section to determine if the individual has a disqualifying criminal history as specified in [§344.400 of this title](#).
- (d) The department or facility must review the most recent separation or discharge documents as described in subsections (a) and (b) of this section when a currently employed certified officer returns from a period of active duty or is discharged from military service.

§344.312 Criminal History Checks for Employees of Licensed Facilities or Programs

Effective Date: 2/1/18

- (a) Employees of facilities or programs that are licensed by the Texas Department of Family and Protective Services, the Texas Health and Human Services Commission, their successor agencies, or the equivalent agencies in other states are exempt from the requirements of [§344.300](#) and [§344.302](#) of this title. However, the chief administrative officer or designee must obtain documentation confirming that the license of the facility or program is in good standing with the licensing entity.
- (b) For purposes of this section, the term license includes a permit, certificate, approval, registration, or other form of permission required by law.

§344.320 Criminal History Checks for Position and Departmental Transfers and Optional Certification

Effective Date: 12/30/22

- (a) The employing department or facility must complete a criminal history check in accordance with [§344.300](#) and [§344.302](#) of this chapter when:
 - (1) an individual who was not previously certified accepts a position requiring certification;
 - (2) a certified officer employed by a department or facility accepts simultaneous or subsequent employment at a department or facility operated by or under contract with a different juvenile board; or
 - (3) the department or facility is seeking certification for a person in a position that allows for optional certification as provided in [§344.802](#) of this chapter.
- (b) For individuals with a record in the Fingerprint-Based Applicant Clearinghouse of Texas (FACT), the searches may be conducted using the existing fingerprints.

§344.330 Criminal History Checks for Employees of Private Juvenile Justice Facilities

Effective Date: 12/30/22

The following provisions apply when a private juvenile justice facility is operating under contract with a governmental entity as required by [Sections 51.12](#), [51.125](#), and [51.126](#), Texas Family Code.

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- (1) The juvenile probation department serving the county where the private facility is located is responsible for performing the checks and subscribing to the Fingerprint-Based Applicant Clearinghouse of Texas (FACT), as required under [§344.300](#) of this chapter, for the private facility.
- (2) The department and the private facility must have a written agreement that:
 - (A) authorizes the private facility to have access to information resulting from the criminal history checks;
 - (B) limits the private facility's use of the information to the purpose for which it is given;
 - (C) requires the private facility to ensure the confidentiality of the information; and
 - (D) provides for sanctions if the private facility violates a requirement in subparagraphs (B) or (C) of this paragraph.
- (3) The private facility must provide the following information to the department in writing:
 - (A) identifying information necessary for the department to conduct the criminal history checks as required by this chapter; and
 - (B) notification within 10 calendar days after an individual subject to criminal history checks separates from employment, ceases to provide services, or transfers out of a position that requires criminal history checks.
- (4) The chief administrative officer or designee of the juvenile probation department serving the county where the private facility is located must notify the private facility in writing of the results of each initial criminal history check and each check required for renewal of certification.
- (5) The department must immediately notify the private facility administrator in writing if the department receives a FACT alert regarding an arrest, conviction, or deferred adjudication for any offense punishable by confinement or imprisonment for an individual who is employed by or provides services at the private facility.

§344.350 Non-Criminal History Background Checks

Effective Date: 4/1/26

(a) Checks Using TJJJ's Certification System.

- (1) A department or facility must use TJJJ's certification system before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, to verify that the person:
 - (A) has not had a TJJJ certification revoked;
 - (B) has not been designated as ineligible for certification by TJJJ;
 - (C) is not currently under an order of active suspension issued by TJJJ; and
 - (D) is not currently ineligible to take the certification exam due to repeated failures to pass the exam as described in [§344.700 of this chapter](#).
- (2) A person who has had a TJJJ certification revoked, has been designated as ineligible for TJJJ certification, or is currently under an order of active suspension issued by TJJJ may not hold a position that requires certification or that allows for direct contact with a juvenile or have direct, unsupervised access to a juvenile in a juvenile facility or program. The person is not eligible for a review under [§344.360 of this chapter](#).
- (3) A person who is currently ineligible to take the certification exam may not hold a position that requires certification. The person is not eligible for a review under [§344.360 of this chapter](#).

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(b) Checks Using the Search Engine for Multi-Agency Reportable Conduct (SEMARC).

- (1) A department or facility must use the search engine for multi-agency reportable conduct (SEMARC) before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, to determine if the person has been included in any do-not-hire or similar registry of TJJJ or the other participating state agencies.
- (2) A person who is included in TJJJ's registry is not eligible for certification and is not eligible to serve in a position in which the person may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile. The person is not eligible for review under [§344.360 of this chapter](#).
- (3) A person who is included in the registry of any other SEMARC-participating agency is not eligible for certification and is not eligible to serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile unless a review is requested under [§344.360 of this chapter](#) and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.
- (4) The department or facility must conduct a SEMARC check as part of the certification renewal process for each person with a certification. The department or facility must conduct a SEMARC check every two years for all persons who do not have a TJJJ certification. The department or facility must immediately remove a person who appears in any agency's registry, except for those previously reviewed and approved under [§344.360 of this chapter](#), from having any contact with juveniles and must immediately notify TJJJ's certification office of the SEMARC result. TJJJ will conduct a review and determine if it will take action on the certification or, if the person is not certified, if it will take action to make the person ineligible for certification. The person may not return to a position having any contact with juveniles until TJJJ informs the department or facility that such is permissible.
- (5) As provided by [Chapter 810, Health and Safety Code](#), authorized users may use SEMARC only for the purpose of making decisions about certification, employment, or other service. Information received through SEMARC is confidential and excepted from disclosure under [Chapter 552, Government Code](#).

(c) Employment Verification.

- (1) A facility must conduct an employment verification with all previous employers, which includes contacting the previous employers, to the extent possible, in accordance with [Chapter 811, Health and Safety Code](#), before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position in a facility that may be placed in direct contact with a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter.
- (2) The purpose of the employment verification is to determine if the person was terminated or otherwise disciplined for conduct that included harassment in the workplace or abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population or, if the employer is one that serves children or other vulnerable populations, if any of the criteria in subsection (d)(1) of this section exist.
- (3) If the employment verification reveals that a person engaged in physical or sexual abuse of a child constituting an offense under [§21.02 \(Continuous Sexual Abuse of Young Child or Disabled Individual\)](#), [§22.011 \(Sexual Assault\)](#), [§22.021 \(Aggravated Sexual Assault\)](#), or [§25.02 \(Prohibited Sexual Conduct\), Penal Code](#), even if not convicted, the person is not eligible to serve in any position in a facility that may be placed in direct contact with a juvenile. The person is not eligible for a review under [§344.360 of this chapter](#).
- (4) A person is not eligible for certification and may not serve in a position in a facility that may allow the person to be placed in direct contact with a juvenile if the employment verification reveals that a

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person engaged in harassment in the workplace or any other type of abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population or that any of the criteria in subsection (d)(1) of this section exist unless a review is requested under [§344.360 of this chapter](#) and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

- (5) The employment verification under this section applies only to individuals who will provide services in a facility. However, the employment verification is required before any person may begin service in a facility in a role described in paragraph (1) of this subsection, even if the person is already serving in a role not in a facility that required the other checks and verifications in this chapter.

(d) Self-Disclosure Form and Checks.

- (1) A department or facility, before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, must require the person to complete a form promulgated by TJJJD that requires the applicant to disclose and provide additional information, if applicable, regarding whether the applicant ever:
 - (A) worked, contracted, volunteered, interned, or otherwise served at or held an occupational license with a child-serving entity or entity that serves other vulnerable populations, such as elderly persons, persons with disabilities, persons in mental health facilities, or persons who were incarcerated;
 - (B) had the employment, contract, volunteer, or other status suspended or terminated;
 - (C) had the occupational license revoked or suspended;
 - (D) had a finding of abuse, neglect, exploitation, or mistreatment made against the applicant; or
 - (E) had the applicant's name placed on a do-not-hire or similar registry with an entity that provides services to or regulation of services for children or members of other vulnerable populations.
- (2) Except as provided by paragraph (3) of this subsection, the department or facility must, to the extent possible, contact all entities identified on the form completed in accordance with paragraph (1) of this subsection and verify whether or not the person's history includes one or more of the criteria in paragraph (1)(B)–(E) of this subsection.
- (3) The department or facility does not have to contact entities that are identified on the form if the entity is a state agency with a registry that is searchable through SEMARC or is an entity that is contacted as part of the employment verification check required under subsection (c) of this section.
- (4) The person is not eligible for certification and may not serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile if the check indicates that the person's history includes one or more of the criteria in paragraph (1)(B)–(E) unless a review is requested under [§344.360 of this chapter](#) and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

(e) Rules of General Applicability.

- (1) The person(s) conducting all checks and verifications required by this subsection must do so using the applicant's current name and all prior names.
- (2) The person(s) conducting each check or verification required by this section, with the exception of a search using SEMARC, must maintain a written record of the check or verification, to include the name of the person(s) conducting the check or verification, the date the check or verification was conducted, and the information received as a result of the check or verification, to include the name of each person who provided such information. SEMARC search histories will automatically be created in the system.

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- (3) The department or facility must report to TJJD any discrepancies revealed between any check or verification conducted under this chapter and the information the person reported regarding the person's history. A person's failure to accurately disclose the information requested on the form referenced in subsection (a) of this section is considered a violation of the Code of Ethics and may result in termination of service in the position, denial of certification, designation of ineligibility for certification, and/or revocation of certification.
- (4) If the department or facility wishes to select the person despite the history, a review must be requested as provided in [§344.360 of this chapter](#), if such a review is allowable based on the history. The person may not be hired or otherwise approved to serve in a position until the review process is completed and the outcome is a determination that the person will not be prevented from being certified or from serving in the position, as applicable.

§344.360 Review of Applicant's Prior History

Effective Date: 4/1/26

(a) Request for Review.

- (1) A request for review under [§344.350 of this chapter](#) regarding a person being considered for a position requiring certification or for which the department or facility is seeking optional certification must be submitted to TJJD's certification office via email using a form promulgated by TJJD, the completion of which may require the department or facility to obtain additional information from the person, the entity with which the person held a position, and/or the agency that licensed the person or the entity with which the person held a position.
- (2) Except as provided by paragraph (3) of this subsection, a request for review under [§344.350 of this chapter](#) regarding a person being considered for a position not requiring certification or for which optional certification will not be sought must be submitted to the juvenile board or designee using a form promulgated by TJJD, the completion of which may require the department or facility to obtain additional information from the person, the entity with which the person held a position, and/or the agency that licensed the person or the entity with which the person held a position. If the juvenile board makes a designation under this paragraph, it must be in writing and maintained.
- (3) All reviews requested based on the results of a SEMARC search, regardless of the position the person is being considered for, must be submitted to TJJD's certification office via email using a form promulgated by TJJD, the completion of which may require the department or facility to obtain additional information from the person, the entity with which the person held a position, and/or the agency that licensed the person or the entity with which the person held a position.
- (4) The request for review described in this subsection is required only if the department or facility wants to employ, contract with, accept the individual as a volunteer, or otherwise select the person for a position.

(b) Review by Juvenile Board.

- (1) A review by the juvenile board or designee under this section must take into account the facts of the conduct engaged in by the person, the length of time since the conduct occurred, and the nature and experience of the person before and after the conduct occurred to determine if the person having direct contact with or direct, unsupervised access to juveniles poses a threat of harm. The juvenile board may seek additional information if warranted.
- (2) The review must be conducted using a form promulgated by TJJD. The form must be fully completed and maintained and must include the name of the person(s) conducting the review, the date of the review, and the final decision and justification therefore.
- (3) The juvenile board or designee's decision is final and not subject to appeal.

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(c) Review by TJJD.

- (1) A review by TJJD under this section must take into account the facts of the conduct engaged in by the person, the length of time since the conduct occurred, and the nature and experience of the person before and after the conduct occurred to determine if the person having direct contact with or direct, unsupervised access to juveniles poses a threat of harm. TJJD may seek additional information if warranted.
- (2) TJJD shall notify the person and the requesting department or facility of its decision and of the opportunity to appeal that decision to the executive director. The notification shall be in writing. The person shall have 10 calendar days to appeal the decision. The appeal must be in writing and timely received. TJJD may grant an extension at its discretion.
- (3) Upon receipt of an appeal, the executive director shall review the matter and determine if the person should be denied a certification or denied from serving in the requested position, as applicable. The executive director's response shall be in writing. The executive director's decision is final and not subject to appeal.

Subchapter D Disqualifying Criminal History

§344.400 Disqualifying Criminal History

Effective Date: 4/1/26

(a) Applicants for Certification.

An individual with the following criminal history is not eligible for certification or for employment in a position requiring certification:

- (1) deferred adjudication or conviction for a felony listed in [Article 42A.054, Code of Criminal Procedure](#) (formerly known as "3(g) offenses" under former Article 42.12), or a substantially equivalent violation against the laws of another state or the United States (as determined by TJJD), regardless of the date of disposition; or
- (2) deferred adjudication or conviction for a sexually violent offense as defined in [Article 62.001, Texas Code of Criminal Procedure](#), or a substantially equivalent violation against the laws of another state or the United States (as determined by TJJD), regardless of the date of disposition.

(b) Other Individuals Subject to Criminal Background Checks.

An individual with the criminal history described in subsection (a) of this section is not eligible to serve in a position listed in [§344.300\(b\)\(3\) of this chapter](#).

(c) Additional Prohibitions Based on Criminal History.

An individual who has been convicted of or placed on deferred adjudication for an offense under [§21.02 \(Continuous Sexual Abuse of Young Child or Disabled Individual\)](#), [§22.011 \(Sexual Assault\)](#), [§22.021 \(Aggravated Sexual Assault\)](#), or [§25.02 \(Prohibited Sexual Conduct\), Penal Code](#), is prohibited from holding a position as an employee, volunteer, or independent contractor and from holding any other position that allows direct contact with a juvenile.

(d) General Provisions.

- (1) Subsection (a)(1) of this section does not apply to individuals certified before February 1, 2018, unless the certification expires.
- (2) Subsection (a)(1) of this section does not apply to individuals in a position listed in [§344.300\(b\)\(3\) of this chapter](#) who began service provision before February 1, 2018, with no break in service after that date.

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- (3) Subsection (a)(2) of this section does not apply to individuals certified before December 30, 2022, unless the certification expires.
- (4) Subsection (a)(2) of this section does not apply to individuals in a position listed in [§344.300\(b\)\(3\) of this chapter](#) who began service provision before December 30, 2022, with no break in service after that date.
- (5) Subsection (c) of this section does not apply to individuals in a position to which the subsection applies who began service provision before the most recent effective date of this section with no break in service after that date.

§344.410 Other Criminal History

Effective Date: 12/30/22

(a) Applicants for Certification.

- (1) An individual with the following criminal history is not eligible for certification, employment, or otherwise providing service in a position requiring certification without prior review and approval by TJJD as provided in [§344.420](#) of this chapter:
 - (A) deferred adjudication or conviction for a felony other than those referenced in [§344.400\(a\)](#) of this chapter or a substantially equivalent violation against the laws of another state or the United States (as determined by TJJD) if the date of deferred adjudication or conviction was less than 10 years prior to the date the review is requested; or
 - (B) deferred adjudication or conviction for any Class A or B misdemeanor in Texas or a substantially equivalent violation against the laws of another state or the United States (as determined by TJJD) if the date of deferred adjudication or conviction was less than five years prior to the date the review is requested.
- (2) Regardless of the date of conviction or deferred adjudication, a review is required if an individual was incarcerated or placed on community supervision for an offense described by paragraph (1) of this subsection and less than one year has elapsed since the completion of any period of incarceration, community supervision, or parole.
- (3) Regardless of the date of conviction or deferred adjudication, a review is required if an individual has a current requirement to register as a sex offender under [Chapter 62, Texas Code of Criminal Procedure](#), for an offense other than an offense described by [§344.400\(a\)](#) of this chapter.

(b) Other Individuals Subject to Criminal Background Check.

- (1) An individual with the criminal history described in subsection (a) of this section is not eligible to begin serving or continue serving in a position listed in [§344.300\(b\)\(3\)](#) of this chapter unless the juvenile board or its documented designee has granted an exemption after considering the factors in [§344.420](#) of this chapter.
 - (2) Exemptions may be granted only on a case-by-case basis. The justification for the exemption must be documented.
 - (3) If the department or facility receives notification of a new conviction or deferred adjudication, the individual may not continue serving in the position unless the juvenile board or its documented designee grants a new exemption in accordance with this subsection. An exemption may not be granted for a conviction or deferred adjudication described in [§344.400\(a\)](#) of this chapter.
 - (4) An exemption granted under this subsection is valid for the individual only at the juvenile probation department or facility operated by or under contract with the juvenile board granting the exemption.
- (5) The exemption is not valid if the person moves to a position requiring certification or if the department or facility seeks certification for the person in a position that allows for optional certification as provided in [§344.802](#) of this chapter; in such cases, prior review and approval from TJJD is required as provided by subsection (a) of this section.

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§344.420 Pre-certification Review

Effective Date: 12/30/22

- (a) A department or facility must request review from TJJD and receive confirmation from TJJD that approval has been granted before:
- (1) hiring, contracting with, or otherwise placing a person with a criminal history described by [§344.410\(a\)](#) of this chapter into a position requiring certification; or
 - (2) seeking optional certification as provided in [§344.802](#) of this chapter for a person with a criminal history described by [§344.410\(a\)](#) of this chapter.
- (b) The purpose of the review by TJJD is to determine whether TJJD will deny a certification for the individual due to ineligibility for certification based on the criminal history. TJJD will conduct the review in accordance with this section.
- (c) TJJD will first determine if the criminal history offense(s) directly relate to the duties and responsibilities of the position for which certification is required or sought. In making this determination, TJJD will consider:
- (1) the nature and seriousness of the crime(s);
 - (2) the relationship of the crime(s) to the purposes for requiring a certification to engage in the occupation;
 - (3) the extent to which a certification might offer an opportunity to engage in further criminal activity of the same type as that in which the person was previously involved;
 - (4) the relationship of the crime(s) to the ability or capacity required to perform the duties and discharge the responsibilities of the position; and
 - (5) any correlation between the elements of the crime(s) and the duties and responsibilities of the position.
- (d) If TJJD determines the criminal history offense(s) do not directly relate to the duties and responsibilities of the position, TJJD will not deny the certification based on the criminal history.
- (e) If TJJD determines the criminal history offense(s) directly relate to the duties and responsibilities of the position, TJJD will consider the following in determining whether to deny certification:
- (1) the extent and nature of past criminal activity;
 - (2) the age of the person when each crime was committed;
 - (3) the amount of time that has elapsed since the person's last criminal activity;
 - (4) the conduct and work activity of the person before and after the criminal activity;
 - (5) evidence of the person's rehabilitation and rehabilitative effort while incarcerated or after release;
 - (6) evidence of the person's compliance with any conditions of probation, community supervision, parole, or mandatory supervision; and
 - (7) any other evidence of the person's fitness to perform the duties of the position requiring certification, including any letters of recommendation.
- (f) The individual to be certified is responsible for providing TJJD with the information required by TJJD to make its decision. Failure to timely provide TJJD with requested information may result in a denial of certification.
- (g) In making its determinations under this section, TJJD will not consider an arrest that did not result in a conviction or placement on deferred adjudication.
- (h) If TJJD determines that the criminal history will not result in a denial of certification, TJJD will inform the individual and the department or facility, which may then proceed, as appropriate, with hiring, contracting

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with, or otherwise placing the individual into a position requiring certification or with seeking certification for the individual.

- (i) If TJJD determines that the criminal history should result in a certification being denied, TJJD will provide the individual with written notice of the reason for the intended denial and will give the individual at least 30 calendar days to submit any relevant information for consideration. The written notice will comport with the requirements in [Section 53.0231, Texas Occupations Code](#). TJJD will provide a copy of the written notice to the administrative officer of the hiring entity.
- (j) Upon receipt of additional information as provided in subsection (i) of this section, TJJD will conduct an additional review in accordance with this section and will provide its final decision to the individual and to the department or facility that requested the initial review.

§344.430 Arrest or Conviction of Currently Certified or Employed Individuals

Effective Date: 4/1/26

- (a) This section applies to individuals employed by, under contract with, or otherwise providing services at a department or facility who are certified or for whom the department or facility is seeking certification, whether they are serving in a position requiring certification or in a position for which certification is optional under [§344.802 of this chapter](#).
- (b) If a department or facility receives notification that an individual to whom this section applies has been arrested for criminal conduct described in [§344.400\(a\)](#) or [§344.410\(a\) of this chapter](#), the department or facility must notify TJJD's certification office in writing no later than 10 calendar days after receiving notice of the arrest. The department or facility must, as soon as practicable, provide copies of related reports, completed by any participating law enforcement agency and any available information regarding the circumstances of the arrest and must respond to any questions from TJJD regarding the arrest.
- (c) If a department or facility receives notification that an individual to whom this section applies has been convicted of or placed on deferred adjudication for criminal conduct described in [§344.400\(a\)](#) or [§344.410\(a\) of this chapter](#), the department or facility must:
 - (1) remove the person from the position requiring certification and from any position allowing the person direct, unsupervised access to juveniles;
 - (2) if the person and the conduct are covered under Section [344.400\(c\)](#) remove the person from any position allowing direct contact with juveniles in a facility; and
 - (3) notify TJJD's certification office in writing no later than 10 calendar days after receiving such notice. The department or facility must provide information regarding the conviction or deferred adjudication and respond to any questions from TJJD regarding the disposition.
- (d) Upon receipt of a notification under subsection (c) of this section for criminal conduct described in [§344.400\(a\) of this chapter](#), TJJD will:
 - (1) deny certification if the person is not yet certified; or
 - (2) revoke certification if the person is certified.
- (e) Upon receipt of a notification under subsection (c) of this section for criminal conduct described in [§344.410\(a\) of this chapter](#), TJJD will conduct the review described in [§344.420](#) to determine if certification should be denied if the person is not yet certified or if certification should be revoked or suspended if the person is certified.
- (f) Notwithstanding subsection (d) of this section, TJJD will revoke or deny certification if the individual is imprisoned following a felony conviction, revocation of community supervision, revocation of probation, or revocation of mandatory supervision.

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Subchapter E Training and Continuing Education

§344.600 Training Hours Required for Certification

Effective Date: 2/1/18

- (a) To be eligible for certification, an individual must have received the following number of training hours:
 - (1) a minimum of 80 hours of training, including training in topics described in [§344.620 of this title](#), for certification as a juvenile probation officer;
 - (2) a minimum of 80 hours of training, including training in topics described in [§344.622](#) and [§344.624 of this title](#), for certification as a juvenile supervision officer; or
 - (3) a minimum of 40 hours of training, including training in topics described in [§344.626 of this title](#), for certification as a community activities officer.
- (b) To be eligible for credit, training must have been received within 18 months prior to the date the application for certification is submitted to TJJD.

§344.610 Relevance of Training and Standardized Curriculum

Effective Date: 2/1/18

- (a) Training must be relevant to the knowledge and skills required in the performance of the officer's job duties to qualify for certification or continuing education credit.
- (b) Training in the mandatory exam topics listed in [§344.620](#) and [§344.622 of this title](#) must be conducted by training providers who:
 - (1) have successfully completed TJJD-sponsored training for trainers in the curriculum; or
 - (2) are qualified by relevant knowledge, education, and/or experience to train the topic.
- (c) The standardized curriculum provided by TJJD must be used in the provision of training on the mandatory exam topics listed in §344.620 and §344.622 of this title.
- (d) TJJD may refuse to grant credit for training hours that do not comply with this section.

§344.620 Mandatory Training Topics for Certification Exam for Juvenile Probation Officers

Effective Date: 12/1/25

- (a) Successful completion of the certification exam is required prior to performing the duties of a certified juvenile probation officer.
- (b) The certification exam for juvenile probation officers is based on the following mandatory training topics:
 - (1) role of the probation officer;
 - (2) risk and needs assessment, responsivity, case planning, and case management;
 - (3) recognizing and supervising youth with mental health issues;
 - (4) officer safety and mechanical restraints;
 - (5) Texas Family Code Title 3 (Juvenile Justice Code) and related laws;
 - (6) legal liabilities;
 - (7) dispositional recommendations and courtroom proceedings;
 - (8) TJJD code of ethics and TJJD disciplinary procedures;

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- (9) preventing, identifying, and reporting abuse, neglect, and exploitation;
- (10) purpose and goals of the Prison Rape Elimination Act;
- (11) suicide prevention and intervention;
- (12) trauma-informed care;
- (13) adolescent development and behavior;
- (14) human trafficking; and
- (15) mental health screening instrument.

§344.622 Mandatory Training Topics for Certification Exam for Juvenile Supervision Officers

Effective Date: 12/1/25

- (a) In addition to the training requirements listed in [§344.624 of this title](#), successful completion of the certification exam is required before a juvenile supervision officer may provide supervision of juveniles and count in any staff-to-juvenile ratio.
- (b) The certification exam for juvenile supervision officers is based on the following mandatory training topics:
 - (1) juvenile rights;
 - (2) Texas Family Code Title 3 (Juvenile Justice Code) and related laws;
 - (3) preventing, identifying, and reporting abuse, neglect, and exploitation;
 - (4) purpose and goals of the Prison Rape Elimination Act;
 - (5) suicide prevention and intervention;
 - (6) legal liabilities;
 - (7) recognizing and supervising youth with mental health issues;
 - (8) adolescent development and behavior;
 - (9) HIV/AIDS and other communicable diseases;
 - (10) TJJD code of ethics and TJJD disciplinary procedures;
 - (11) trauma-informed care;
 - (12) human trafficking; and
 - (13) mental health screening instrument.

§344.624 Additional Training Requirements for Certification as a Juvenile Supervision Officer

Effective Date: 2/1/18

To be eligible for certification, juvenile supervision officers must:

- (1) receive training and maintain current certification in the following areas:
 - (A) cardiopulmonary resuscitation (CPR);
 - (B) first aid; and
 - (C) the personal restraint technique used by the department or facility; and
- (2) receive training in each of the following topics as it relates to the duties of a juvenile supervision officer:
 - (A) suicide prevention policies, including the suicide prevention plan in residential facilities;

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- (B) the policies of the facility or program related to preventing, identifying, and reporting abuse, neglect, and exploitation;
- (C) verbal de-escalation policies, procedures, and practices;
- (D) standards regarding use of personal and mechanical restraints, including prohibited techniques and criteria for use;
- (E) resident supervision, including juvenile behavior observation and documentation requirements;
- (F) behavior management, including the juvenile discipline plan and safety-based seclusion;
- (G) resident-initiated separation;
- (H) facility safety and security policies;
- (I) referral of residents in need of medical, mental health, or dental services, as identified by staff or reported by residents;
- (J) fire safety plan, including fire drill procedures;
- (K) non-fire emergency and evacuation procedures;
- (L) recognizing and responding to mental health needs of juveniles;
- (M) juvenile grievance procedures;
- (N) confidentiality of juvenile information;
- (O) transportation of juveniles; and
- (P) searches of juveniles.

§344.626 Required Training Topics for Community Activities Officers Effective Date: 2/1/18

To be eligible for certification, community activities officers must:

- (1) receive training and maintain current certification in:
 - (A) cardiopulmonary resuscitation (CPR);
 - (B) first aid; and
 - (C) the personal restraint technique used by the department, if the department authorizes community activities officers to use personal restraints; and
- (2) receive training in the following topics:
 - (A) the policies of the department related to preventing, identifying, and reporting abuse, neglect, and exploitation;
 - (B) TJJJ code of ethics and TJJJ disciplinary procedures;
 - (C) trauma-informed care;
 - (D) verbal de-escalation policies, procedures, and practices; and
 - (E) standards regarding use of personal and mechanical restraints, including prohibited techniques and criteria for use.

§344.630 On-the-Job Training Effective Date: 2/1/18

- (a) To be eligible for credit toward initial certification and renewal of certification, documentation of an on-the-job training program must include the following elements, at a minimum:
 - (1) name and signature of the trainee;

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- (2) name and signature of the trainer(s);
 - (3) signature of the supervisor/administrator;
 - (4) training topics;
 - (5) number of training hours for each topic; and
 - (6) dates the topics were explained to the trainee, practiced by the trainee, and demonstrated by the trainee.
- (b) Staff members who provide on-the-job training must be qualified to do so based on knowledge, education, and/or experience.
- (c) For juvenile probation officers and juvenile supervision officers, a maximum of 40 hours of on-the-job training may be used to meet the initial certification or continuing education requirement in a certification period.
- (d) For community activities officers, a maximum of 20 hours of on-the-job training may be used to meet the initial certification or continuing education requirement in a certification period.

§344.640 Continuing Education Requirements for Maintaining Certification

Effective Date: 2/1/18

- (a) To maintain an active certification:
- (1) a juvenile probation officer must complete 60 hours of continuing education within the certification period;
 - (2) a juvenile supervision officer must complete 80 hours of continuing education within the certification period; and
 - (3) a community activities officer must complete 40 hours of continuing education within the certification period.
- (b) For juvenile supervision officers, continuing education received during each certification period must include:
- (1) suicide prevention policies, including the suicide prevention plan in residential facilities;
 - (2) training necessary to maintain current certification in CPR, first aid, and the approved personal restraint technique;
 - (3) preventing, identifying, and reporting abuse, neglect, and exploitation;
 - (4) verbal de-escalation policies, procedures, and practices; and
 - (5) standards regarding use of personal and mechanical restraints, including prohibited techniques and criteria for use.
- (c) For community activities officers, continuing education received during each certification period must include:
- (1) training necessary to maintain current certification in CPR and first aid;
 - (2) training necessary to maintain current certification in the department's personal restraint technique, if the department authorizes community activities officers to use personal restraints;
 - (3) preventing, identifying, and reporting abuse, neglect, and exploitation;
 - (4) verbal de-escalation policies, procedures, and practices; and
 - (5) standards regarding use of personal and mechanical restraints, including prohibited techniques and criteria for use.

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- (d) For chief administrative officers and facility administrators, continuing education must include a minimum of 20 hours of management topics. This requirement does not apply to the certification period during which an individual is appointed as a chief administrative officer or facility administrator.
- (e) A maximum of 20 hours of continuing education that exceeds the minimum requirement in a certification period may be applied to the next certification period.
- (f) Documentation of the required continuing education must be submitted to TJJJ through TJJJ's certification system no later than the last day of the certification period.
- (g) Requirements in [subsection \(a\) of this section](#) also apply in cases in which an officer's certification becomes inactive but is later reactivated within the same certification period.

§344.660 Approval and Review of Training and Continuing Education Effective Date: 2/1/18

- (a) To be eligible for credit, training or continuing education must be:
 - (1) relevant, which means it is related to job responsibilities, the field of juvenile justice, or fields of study approved by TJJJ;
 - (2) organized, which means it is based on documentation that includes specified learning objectives, training methods, and evaluation techniques; and
 - (3) planned, which means it is scheduled and conducted in a predetermined location.
- (b) To be eligible for credit, training or continuing education provided by the department or facility must:
 - (1) meet the criteria in subsection (a) of this section; and
 - (2) be evaluated, which means participants are provided an opportunity to provide written feedback and/or participants are tested (written or demonstrated) to measure the transfer of knowledge.
- (c) TJJJ may, on a case-by-case basis, approve events for credit that do not meet the requirements in subsection (a) or (b) of this section.
- (d) Training and continuing education topics must be approved by TJJJ in order to count toward the requirements of this chapter. A department or facility may request advance approval of a training or continuing education topic by contacting the TJJJ certification office.
- (e) A department or facility may request a review of TJJJ's decision not to approve a topic. In support of the request, the department or facility must describe how the topic relates to the job duties and responsibilities of the officer. TJJJ may request additional documentation to evaluate the appropriateness of the topic.

§344.670 Training Methods and Limitations Effective Date: 5/1/23

- (a) **Limitations on Topics.**
 - (1) **Repetitive Training.**
 - (A) Credit will not be granted more than twice in a certification period for training that is duplicative in nature, except as noted in subparagraphs (B) and (C) of this paragraph.
 - (B) If an officer is concurrently employed by more than one department or facility or has transferred to a new department or facility within a certification period, credit for a training topic may be granted up to four times in a certification period.
 - (C) For juvenile supervision officers and community activities officers, credit for a training topic may be granted one additional time if:

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- (i) the topic is one of the topics required during each certification period as listed in [§344.640 of this chapter](#); and
- (ii) training hours for the topic have been carried over from the prior certification period as allowed by §344.640 of this chapter.

(2) **Review of Policy and Procedure.**

A review of the policies and procedures of the department or facility is not eligible for credit unless documentation reflects that the review meets the requirements in §344.660(a) of this chapter.

(3) **Meetings.**

Meetings, including staff meetings, are not considered a training activity unless supporting documentation indicates that all or part of the meeting meets the requirements in §344.660(a) of this chapter. If only a portion of the meeting meets the requirements in §344.660(a) of this chapter, credit may be awarded only for that portion of the meeting.

(4) **Review of Employee Benefits.**

A review of employment-related benefits and plans is not eligible for credit unless:

- (A) the officer is a supervisor and the review relates to supervisory duties or is being provided as part of a formal leadership development program; and
- (B) the review meets the requirements in §344.660(a) of this chapter.

(5) **Firearms Training.**

Training required under [§341.808 of this chapter](#) relating to carrying a firearm in the course of an officer's official duties is not eligible for credit toward continuing education requirements in this chapter.

(b) **Limitations on Training Methods.**

The hour limitations in this section apply to training received within a certification period.

- (1) There is no limitation on the number of hours that may be obtained from live training. Live training includes in-person training and online training in which the presenter and the person claiming credit appear at the same time and have the ability to interact, either verbally or in writing.
- (2) There is no limitation on the number of hours that may be obtained from watching pre-recorded training if the training is provided by, sponsored by, or co-sponsored by TJJD. Pre-recorded training includes recordings of live interactive trainings as well as recordings of trainings that were not interactive.
- (3) For juvenile probation officers and juvenile supervision officers, a maximum of 20 hours of pre-recorded training other than pre-recorded training described in paragraph (2) of this subsection may be eligible for credit.
- (4) For community activities officers, a maximum of 10 hours of pre-recorded training other than pre-recorded training described in paragraph (2) of this subsection may be eligible for credit.
- (5) A maximum of 40 hours may be eligible for credit for successful completion of one or more college courses in topics relevant to the officer's job duties. A course must be provided by a college or university accredited by an organization recognized by the Texas Higher Education Coordinating Board. TJJD determines on a case-by-case basis whether credit is granted for the course and the number of hours approved for credit.

(c) **Limitations on Credit for Development and Delivery of Training.**

- (1) A training provider may claim a maximum of 20 hours in a certification period for the time spent delivering training.

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- (2) An individual who develops training curriculum may claim a maximum of 20 hours in a certification period for the time spent developing the curriculum.
- (3) Credit under this subsection is allowed only for the topics listed in [§§344.620](#), [344.622](#), [344.624](#), and [344.626](#) of this chapter.

§344.680 Documentation

Effective Date: 2/1/18

- (a) Documentation of all training used for certification must be maintained for monitoring purposes until the end of the current certification period plus two years, at a minimum. This retention requirement does not supersede any requirement in any other rule, statute, or local policy that requires a longer retention period.
- (b) Documentation may include training curricula, sign-in sheets, agendas, certificates of completion, correspondence from the instructor, registration receipts, and/or exam results.
- (c) Upon request, a department or facility must submit training records to a department or facility in which an officer has obtained subsequent or concurrent employment.

§344.690 Credit for Training Hours for Military Service Members, Spouses, and Veterans

Effective Date: 4/1/26

- (a) This subsection applies only to a person who is a military service member, military veteran, or military spouse as those terms are defined in [Chapter 55, Occupations Code](#), and who:
 - (1) holds a current license issued by another state that is similar in scope of practice to TJJD's certification requirements for a juvenile probation officer, supervision officer, or community activities officer, as determined by TJJD, and that is in good standing with the other state's licensing authority; or
 - (2) held a certification from TJJD as a juvenile probation officer, supervision officer, or community activities officer that was active within the five years preceding the person's most recent employment in a position requiring or otherwise eligible for certification.
- (b) A person is considered in good standing with another state's licensing authority if the person:
 - (1) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;
 - (2) has not been disciplined by the licensing authority with respect to the license or person's practice of the occupation for which the license is issued; and
 - (3) is not currently under investigation by the licensing authority for unprofessional conduct related to the person's license or profession.
- (c) As provided by this section, TJJD may grant credit toward the training hours required in [§344.600](#) to persons described by subsection (a) of this section. Any credit granted will be based on the person's verified military service, training, or education that is directly relevant to the position for which certification is sought.
- (d) No credit may be given for topics required by [§§344.620](#), [344.622](#), [344.624](#), or [344.626](#).
- (e) The department or facility that employs a person described by subsection (a) of this section may submit an application to TJJD for possible credit. TJJD will consider the person's experience and training to determine if credit should be granted and, if so, how much.
- (f) An individual to whom this section applies is also eligible to receive credit as otherwise provided by this chapter, as applicable.

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- (g) In order to receive a certification as provided by this section, a person to whom this section applies must submit the documents required by [§55.0041, Occupations Code](#).
- (h) TJJD shall maintain a list of states that issue licenses similar in scope of practice to those issued by TJJD and post this information on its website.
- (i) TJJD shall maintain a record of each complaint made against a military service member, military veteran, or military spouse that is certified as provided by this section and publish the information on its website at least quarterly, to include a brief description of the disposition of each complaint.

Subchapter F Certification Exam

§344.700 Certification Exam

Effective Date: 2/1/18

- (a) To be eligible for certification as a juvenile probation officer or juvenile supervision officer, an individual must pass the certification exam required by TJJD.
- (b) Before taking the exam, the individual must complete the training required in [§344.620](#) or [§344.622 of this title](#), as applicable.
- (c) The department or facility employing the individual must either pay any required exam fee or require the individual to pay the fee.
- (d) A score of 70% or higher is required to pass the exam.
- (e) An individual is allowed three attempts to pass the exam, except as provided in subsections (f) and (g) of this section.
- (f) An individual who has not passed the exam after three attempts may not take the exam again until:
 - (1) 180 days have elapsed since the date the individual last took the exam; and
 - (2) the individual has repeated the training topics required in [§344.620](#) or [§344.622 of this title](#) after the date the individual last took the exam. Credit toward certification is granted only for the training hours in those topics that are completed after the date the individual last failed the exam.
- (g) An individual who is dismissed from an exam for cheating or otherwise failing to follow exam rules provided by TJJD is not eligible to take the exam again or be certified. If an individual is dismissed for cheating or otherwise failing to follow exam rules provided by TJJD while taking the exam at a department or facility, the department or facility must notify TJJD's certification office in writing within one business day.
- (h) Except as provided in subsection (i) of this section, the requirements of this subchapter apply to individuals who:
 - (1) do not currently hold a certification as a juvenile probation officer and who begin employment as a juvenile probation officer on or after September 1, 2016; or
 - (2) do not currently hold a certification as a juvenile supervision officer and who begin employment as a juvenile supervision officer on or after September 1, 2017.
- (i) This subchapter does not apply to an individual whose certification has expired if less than six months has elapsed between the date of the expiration and the date the individual submits an application for the same certification.
- (j) A department or facility that proctors the certification exam must ensure the proctor complies with TJJD's proctoring agreement.

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Subchapter G Certification

§344.800 Positions Requiring Certification

Effective Date: 2/1/18

- (a) Chief administrative officers must maintain an active certification as a juvenile probation officer.
- (b) Facility administrators must maintain an active certification as a juvenile supervision officer.
- (c) Supervisors in the direct chain of supervision over juvenile probation officers must maintain an active certification as a juvenile probation officer.
- (d) Supervisors in the direct chain of supervision over juvenile supervision officers must be certified as a juvenile probation officer and/or juvenile supervision officer.
- (e) Supervisors in the direct chain of supervision over community activities officers must maintain an active certification as one or more of the following: juvenile probation officer, juvenile supervision officer, or community activities officer.
- (f) Juvenile probation officers, including any staff member whose position may require temporarily performing the duties of a juvenile probation officer, must maintain an active certification as a juvenile probation officer.
- (g) Juvenile supervision officers, including any staff member whose position may require temporarily performing the duties of a juvenile supervision officer, must maintain an active certification as a juvenile supervision officer.
- (h) An individual who is employed by a juvenile justice program and whose position may require supervising juveniles in a non-secure setting within a juvenile justice program must maintain an active certification as a community activities officer, except as noted in subsection (i) of this section.
- (i) Juvenile probation officers and juvenile supervision officers, as defined by this chapter, do not require certification as a community activities officer.
- (j) Nothing in this chapter is intended to require professionals who are providing services in their professional capacity to obtain certification from TJJD. For purposes of this chapter, providing services in a professional capacity is not considered supervising juveniles.

§344.802 Positions Eligible for Optional Certification

Effective Date: 2/1/18

- (a) The following individuals may be certified as a juvenile probation officer, juvenile supervision officer, and/or community activities officer if they meet the criteria for certification:
 - (1) quality assurance staff; and
 - (2) trainers of individuals in positions requiring certification.
- (b) The individuals listed in subsection (a) of this section are the only individuals other than those listed in [§344.800 of this title](#) who may be certified by TJJD.

§344.804 Dual Certification

Effective Date: 9/1/25

- (a) Individuals may hold more than one certification by TJJD if they meet all criteria required for each certification and their job duties are consistent with all certifications held, except as noted in subsection (b) of this section.

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- (b) An individual may not hold an active certification as a juvenile supervision officer and as a community activities officer unless the individual is concurrently employed by more than one department or facility.
- (c) Training received may be used for credit toward more than one type of TJJJ-issued certification if the topic is relevant to each certification sought or held.
- (d) An individual who has an active certification as a juvenile supervision officer or juvenile probation officer who has previously completed a mandatory training topic listed in [§344.620](#) of this chapter (relating to Mandatory Training Topics for Certification Exam for Juvenile Probation Officers) or [§344.622](#) of this chapter (relating to Mandatory Training Topics for Certification Exam for Juvenile Supervision Officers), as applicable, is not required to complete training in that topic again in order to receive a dual certification as a juvenile supervision officer or juvenile probation officer. However, the person may not receive credit toward the training hours required for the second certification for training completed more than 18 months prior to the date the application for the second certification is submitted to TJJJ.

§344.850 Continued Employment in a Position Eligible for Certification Effective Date: 2/1/18

- (a) To maintain an active certification under this chapter, a certified officer must be employed:
 - (1) by a governmental unit or by a private provider under a contract with a governmental unit; and
 - (2) in a position eligible for certification.
- (b) Upon receiving notification from the employer of the individual's resignation, termination from employment, or transfer into a position not eligible for certification, TJJJ places the officer's certification on inactive status.

§344.860 Certification Process Effective Date: 2/1/18

- (a) **Submission of Applications.**

All certification applications must be submitted through TJJJ's certification system.
- (b) **Training Record.**

The department or facility must use TJJJ's certification system to record training received by individuals seeking certification.
- (c) **Deadline for Submission of Application.**

The certification application must be submitted to TJJJ no more than 180 calendar days after the date of initial employment.

 - (1) An individual whose application for certification has not been submitted within this time frame:
 - (A) may not perform the duties of a certified officer;
 - (B) may not count toward any staff-to-juvenile ratio; and
 - (C) may begin performing the duties of a certified officer and count toward staff-to-juvenile ratios only after the application has been approved by TJJJ.
 - (2) Part-time staff are allowed an additional 90 days to complete the required training.
- (d) **Criminal History Checks.**

A certification application must include verification that the applicant for certification currently meets the criminal history standards set forth in this chapter.
- (e) **Approval of Applications.**
 - (1) TJJJ reviews information contained in an application to determine eligibility for certification.

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- (2) TJJJ may request additional information or documentation when reviewing an application. The department or facility must respond to such requests within 14 calendar days. If the department or facility fails to respond within 14 calendar days, the officer is ineligible to perform the duties of a certified officer and may not count in any staff-to-juvenile ratio.

(f) **Denial of Certification.**

Any individual whose application is denied because TJJJ has determined a certification will not be granted may not perform the duties of a certified officer or be employed in any position requiring certification.

§344.862 Expiration of Certification

Effective Date: 2/1/18

- (a) Certifications issued by TJJJ expire upon failure to submit a renewal application before the end of the certification period plus any applicable grace period or extension.
- (b) A certification period is the 24-month period that starts on the first day of the month following the officer's birth month and ends on the last day of the officer's birth month.
- (c) The *first* certification period also includes the time between the date of certification and the officer's next birth month.
- (d) The grace period is the one-month period following the end of an officer's certification period.
- (e) Extensions may be granted in accordance with [§344.870 of this title](#).
- (f) An officer whose certification is expired:
 - (1) may not perform the duties of a certified officer;
 - (2) may not count toward any staff-to-juvenile ratio; and
 - (3) may begin performing the duties of a certified officer and count toward staff-to-juvenile ratios only after a new application for certification has been approved by TJJJ.

§344.864 Certification Renewal Process

Effective Date: 4/1/26

(a) **Submission of Renewal Applications.**

All applications for renewal must be submitted through TJJJ's certification system.

(b) **Training Documentation.**

The department or facility must use TJJJ's certification system to document continuing education received by individuals seeking a certification renewal.

(c) **Criminal History and SEMARC Checks.**

- (1) A certification renewal application must include verification that the applicant for certification currently meets the criminal history standards set forth in this chapter.
- (2) A certification renewal application must include verification that a SEMARC check was conducted no earlier than 14 days before the renewal application was submitted and that the person did not appear in a search result.

(d) **Deadline for Submission of Renewal Application.**

- (1) Renewal applications:
 - (A) must be submitted before the end of an officer's certification period; and
 - (B) may not be submitted earlier than 30 days before the end of the officer's certification period.
- (2) If an application to renew an officer's certification has not been submitted by the end of the officer's certification period plus any applicable grace period or extension, the officer's certification expires.

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(e) **Approval of Applications.**

- (1) TJJD reviews information contained in a renewal application to determine whether the officer has met the requirements to be granted a renewed certification.
- (2) TJJD may request additional information or documentation when reviewing an application. The department or facility must respond to such requests within 14 calendar days. If the department or facility fails to respond within 14 calendar days, the officer is ineligible to perform the duties of a certified officer and may not count in any staff-to-juvenile ratio.

(f) **Denial of Applications.**

Any individual whose application is denied because TJJD has determined a certification renewal will not be granted may not perform the duties of a certified officer or be employed in any position requiring certification.

§344.866 Certification Status

Effective Date: 9/1/24

(a) **Active.**

A status that indicates a certified officer meets the current requirements of certification as set forth in this chapter and is eligible to perform the duties of a juvenile probation officer, juvenile supervision officer, and/or community activities officer, as applicable.

(b) **Inactive.**

A status that indicates an officer's certification has not expired but the officer is ineligible to perform the duties of a certified officer because:

- (1) the officer is no longer employed in a position that either requires or is eligible for the certification held;
- (2) the officer has been convicted of a disqualifying criminal offense; or
- (3) the officer's application for certification or renewal of certification is determined by TJJD to contain deliberately false or misleading information.

(c) **Expired.**

A status that indicates an application to renew or reactivate a certification has not been submitted before the end of the grace period or any applicable extension.

(d) **Suspended.**

A status that indicates an officer's certification is actively suspended and the officer is no longer eligible for employment in a position requiring certification. If the officer's certification is suspended for failure to pay child support under [Section 232.003, Texas Family Code](#), the suspension remains in effect until TJJD receives an order staying or vacating the suspension.

(e) **Revoked.**

A status that indicates an officer's certification has been permanently revoked by TJJD and that the officer is no longer eligible for employment or certification as a juvenile probation officer, juvenile supervision officer, or community activities officer. An individual who has had his/her certification revoked is not eligible for any future certification.

(f) **Voluntarily Relinquished.**

A status that indicates an officer has voluntarily relinquished his/her certification as provided in [§344.884 of this title](#).

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(g) **Provisional.**

A status that indicates an individual has been hired into a position requiring certification but has not yet been certified.

(h) **Ineligible.**

- (1) A status that indicates an individual who was never certified is ineligible for certification as a result of conduct that occurred:
 - (A) while the person had a provisional certification;
 - (B) while the person was employed by or under contract with the Texas Juvenile Justice Department; or
 - (C) prior to either time described in subparagraph (A) or (B) of this paragraph if the conduct was unknown to TJJD.
- (2) Prior to being designated as ineligible for certification, the person will be offered the same due process as a person for whom revocation or active or probated suspension of certification is sought.

§344.868 Change from Inactive to Expired Certification

Effective Date: 2/1/18

An inactive certification will expire on the date this section takes effect if the deadline for submitting an application for certification renewal has passed.

§344.870 Request for Extension of Renewal Deadline

Effective Date: 2/1/18

- (a) Upon request, TJJD may grant an extension of the deadline for certification renewal if TJJD determines there is good cause to do so. Examples of good cause may include, but are not limited to, extended periods of absence covered by the Family and Medical Leave Act (FMLA) or workers' compensation laws.
- (b) A certified officer on military leave will be granted an extension for an amount of time equal to the period of military leave, up to a maximum of 24 months.
- (c) If an officer does not satisfy all requirements necessary to maintain an active certification by the end of the extension period, the officer's certification expires.

§344.874 Separation from Employment and Transfer from a Certified to a Non-Certified Position

Effective Date: 2/1/18

- (a) The department or facility must notify TJJD's certification office in writing or through TJJD's certification system within 10 calendar days after any of the following events:
 - (1) the resignation or termination of a certified officer; and/or
 - (2) the transfer of a certified officer to a position neither requiring certification nor eligible for certification.
- (b) The department or facility must notify TJJD's certification office in writing of the resignation or termination of an individual who was an authorized user of any TJJD web-based computer application as soon as possible but no later than one business day after the individual is separated from employment. Upon receipt of notice, TJJD will remove the separated employee's user authorization.

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§344.876 Duty to Keep Certified Officers' Addresses Current

Effective Date: 2/1/18

A department or facility must ensure TJJJ's certification system reflects the last known address of each certified officer employed by the department or facility.

§344.878 Duty to Notify TJJJ of Address Changes

Effective Date: 2/1/18

A certified officer who separates from employment with a department or facility must notify TJJJ's certification office of all address changes occurring after separation from employment until the certification expires or is reactivated, revoked, or voluntarily relinquished.

§344.880 Reactivation, Restoration, or Transfer of Certification Records

Effective Date: 2/1/18

- (a) If an individual with an inactive or expired certification is hired in a position requiring certification, the employing department or facility must request through TJJJ's certification system that the individual's record be reactivated (if inactive) or restored (if expired). If the individual was most recently employed as a certified officer by a different department or facility, the employing department or facility must also request through TJJJ's certification system that the individual's certification record be transferred.
- (b) When a certification is reactivated or restored or a record is transferred, all criminal history checks set forth in Subchapter C of this chapter apply. The request for reactivation, restoration, or transfer must include verification that all required criminal history checks have been completed.
- (c) When reactivating an inactive certification, the continuing education requirements set forth in [§344.640 of this title](#) apply.
 - (1) All training received during the current certification period may be used to meet the continuing education requirements in §344.640 of this title.
 - (2) The individual may receive credit for training received during a period of inactive certification. All rules in this chapter regarding relevance and documentation of the training apply.
- (d) When an individual with an expired certification has his/her record restored, an application for a new certification must be submitted and all training requirements in [§344.600\(a\) and \(b\) of this title](#) apply.
 - (1) For certifications that have been expired for less than six months when the application for certification is submitted, all eligible training received during the previous certification period may be used to meet the training requirements.
 - (2) For certifications that have been expired for six months or more when the application for certification is submitted, all eligible training received within the 18 months prior to the date the application for certification is submitted to TJJJ may be used to meet the training requirements.
- (e) When an individual with an expired juvenile probation officer or juvenile supervision officer certification applies for the same type of certification six months or more after his/her certification expired, certification exam requirements in [§344.700 of this title](#) apply.

§344.884 Voluntary Relinquishment of Certification

Effective Date: 2/1/18

- (a) A certified officer may submit to TJJJ's certification office a signed, notarized request to voluntarily relinquish his/her certification for any reason. TJJJ may accept or deny the request.
- (b) An individual who has voluntarily relinquished his/her certification may or may not be eligible for future certification, as determined solely by TJJJ.
- (c) A certification that has been voluntarily relinquished may not be reactivated. If future certification is sought, the individual must comply with initial certification requirements as set forth in this chapter.