



## BOARD MEETING AGENDA

**Wednesday, March 24, 2021 – 11:30 a.m.**

Zoom Link: <https://us02web.zoom.us/j/81654772328>  
 Conference Line: 1 646 558 8656 - Meeting ID: 81654772328#

Call to Order		K. Baxley
Invocation and Pledge of Allegiance		R. Stermer
Roll Call		C. Schnettler
Approval of Minutes, December 9, 2020	Pages 3 - 17	K. Baxley
<b><u>INTRODUCTION OF NEW MEMBERS</u></b>		K. Baxley
<b><u>PRESENTATION</u></b>		
Annual Financial Audit	Pages 18 - 55	Powell and Jones
DEO Annual Performance Presentation	Pages 56 - 71	D. Harper
<b><u>PUBLIC COMMENT</u></b>		
<b><u>DISCUSSION ITEMS</u></b>		
State Update		R. Skinner
Workforce Issues that are Important to Our Community		R. Skinner
CareerSource Florida’s Administrative Policy Number 110, Local Workforce Development Area and Board Governance.	Pages 72 - 88	R. Skinner
Summary of Legislation- HB1505, HB1507, SB98	Pages 89 - 241	R. Skinner
DEO and FWDA responses	Pages 242 - 255	
DOL/DEO monitoring review for local impact	Pages 256 - 257	D. French
Board Orientation	Page 258	R. Skinner
Recertification Designation	Pages 259 - 265	D. French
Request for Attorney General’s Opinion: Conflict	Pages 266 - 273	B. Stermer
<b><u>ACTION ITEMS</u></b>		
Memorandum of Agreement	Pages 274 - 281	R. Skinner
Department of Corrections Grant	Page 282	D. French
<b><u>CONSENT AGENDA</u></b>		
<u>Performance and Monitoring – 2/9/2021</u>		T. Knight
WT/SNAP/WIOA Monitoring Report - Underwood and Sloan	Pages 283 - 314	
<u>Business and Economic Development – 2/11/2021</u>		P. Beasley
None		

### **OUR VISION STATEMENT**

*To be recognized as the number one workforce resource in the state of Florida by providing meaningful and professional customer service that is reflected in the quality of our job candidates and employer services.*



Career Center – 2/18/2021  
 Area Targeted Occupation List Update – Life Line Institute

Page 315

C. Harris

Marketing and Outreach – 2/24/2021  
 None

A. Jones

Executive Committee – 3/3/2021  
 Financial Audit  
 Travel Policy  
 One Stop Operator ITN Selection  
 Youth Services ITN Selection  
 Local Workforce Area Designation  
 Policy Update OPS-26 and OPS-46  
 Policy Update OPS - 81  
 Request for Attorney General’s Opinion: Conflict

Pages 316 - 379

K. Baxley /  
 R. Skinner

**PROJECT UPDATES**

None

**MATTERS FROM THE FLOOR**

**ADJOURNMENT**

2020 – 2021 MEETING SCHEDULE						
Performance/ Monitoring	Business and Economic Development	Career Center	Marketing/ Outreach	Executive	Full Board	
All in-person committee meetings are held at the CF Ocala Campus, Enterprise Center, Room 206. All teleconference meetings will be held through Zoom.						
Tuesday, 9:00 am	Thursday, 9:00 am	Thursday, 9:30 am	Wednesday, 9:00 am	Wednesday, 9:30 am	Wednesday, 11:30 am	
8/11/2020	8/13/2020	8/20/2020	8/26/2020	9/2/2020	9/9/2020	Zoom
11/3/2020	11/5/2020	11/19/2020	11/18/2020	12/2/2020	12/9/2020	Zoom
2/9/2021	2/11/2021	2/18/2021	2/24/2021	3/3/2021	3/24/2021	CF Ocala
5/11/2021	5/13/2021	5/20/2021	5/26/2021	6/2/2021	6/9/2021	CF Ocala

**OUR VISION STATEMENT**

*To be recognized as the number one workforce resource in the state of Florida by providing meaningful and professional customer service that is reflected in the quality of our job candidates and employer services.*



**CAREERSOURCE CITRUS LEVY MARION  
BOARD MEETING**

**MINUTES**

DATE: December 9, 2020  
PLACE: Zoom Only  
TIME: 11:30 a.m.

**MEMBERS PRESENT**

Albert Jones  
Angie White  
Arno Proctor  
Brandon Whiteman  
Bruce Register  
Carol Jones  
Charles Harris  
Darlene Goddard  
David Pieklik  
Debra Stanley  
Fred Morgan  
Judy Houlios  
Kathy Judkins  
Kevin Cunningham  
Kimberly Baxley  
Mark Paugh  
Pat Reddish  
Ted Knight  
Theresa Flick

**MEMBERS ABSENT**

Jeff Chang  
John Hemken  
Jorge Martinez  
Mark Vianello  
Mike Melfi  
Lanny Mathis  
Pete Beasley  
Rachel Riley  
William Burda

**OTHER ATTENDEES**

Rusty Skinner, CSCLM  
Kathleen Woodring, CSCLM  
Robert Stermer, Attorney  
Dale French, CSCLM  
Cory Weaver, CSCLM

Cindy LeCouris, CSCLM  
Laura Byrnes, CSCLM  
Cira Schnettler, CSCLM

**CALL TO ORDER**

The meeting was called to order by Kim Baxley, Chair, at 11:32 a.m.

**ROLL CALL**

Cira Schnettler called roll and a quorum was declared present.

**APPROVAL OF MINUTES**

Al Jones made a motion to approve the minutes from the September 9, 2020 meeting.

Ted Knight seconded the motion. Motion carried.

## **PRESENTATIONS**

### **Virtual Job Fair Platforms**

Laura Byrnes presented the virtual job fair platform that was recently used for the Manufacturing job fair and the Paychecks for Patriots fair. The platform has many benefits and was well received by employers and candidates.

## **PUBLIC COMMENT**

None

## **DISCUSSION ITEMS**

### **State Update**

Rusty Skinner explained to the Board that DEO continues to restructure staff. He also notified members that the Governor recently announced that job search and registration requirement waivers have been extended until January 2, 2021. CLM staff will continue to work with individuals looking for employment and guide customers to be proactive with job searching and registration.

## **ACTION ITEMS**

None

## **CONSENT AGENDA**

### **Performance and Monitoring – 11/3/2020**

Subrecipient Monitoring

Committee Chair Ted Knight provided a summary of the committee activities.

### **Business and Economic Development – 11/5/2020**

No Action Items

Dale French provided a summary of the committee activities in Committee Chair Pete Beasley's absence.

### **Career Center – 11/19/2020**

One Stop Operator RFP

Youth Service Provider ITN

WE/Internship Payroll Services RFQ

Committee Chair Charles Harris provided a summary of the committee activities.

### **Marketing and Outreach – 11/18/2020**

No Action Items

Committee Chair Al Jones provided a summary of the committee activities.

### **Executive Committee – 12/2/2020**

Budget Updates

One Stop Operator RFP  
Youth Service Provider ITN  
WE/Internship Payroll Services RFQ  
CEO Contract  
Board Member Vacancies  
Personal Request: Kathleen's Phone  
FWDA Dues

Committee Chair Kim Baxley provided a summary of the committee activities.

Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.

**PROJECT UPDATES**

None

**MATTERS FROM THE FLOOR**

None

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:05 p.m.

**APPROVED:**

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## **RECORD OF ACTION/APPROVAL**

### **Performance and Monitoring - Tuesday, November 3, 2020 Board Meeting – Wednesday, December 9, 2020**

#### **TOPIC/ISSUE:**

Sub-recipient Monitoring – Eckerd Connects

#### **BACKGROUND:**

We are required to conduct monitoring of our sub-recipient youth provider annually. Our current provider is Eckerd Connects

#### **POINTS OF CONSIDERATION:**

The following report details the areas that were monitored and any issues found. The only issue reported was a difference in total contract payment activity that resulted from an end of year accrual difference in contract closeout. This issue is being reviewed and corrected by the finance team.

#### **STAFF RECOMMENDATIONS:**

Accept the attached monitoring report from Powell and Jones for sub-recipient monitoring.

#### **COMMITTEE ACTION:**

William Burda made a motion to accept the monitoring report for Eckerd Connects. Brandon Whiteman seconded the motion. Motion carried.

#### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Career Center Meeting - Thursday, November 19, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

One Stop Operator Services Request for Proposal

### **BACKGROUND:**

TPMA is the contracted One Stop Operator as required under the Workforce Innovation and Opportunity Act. The current contract with TPMA is set to expire on June 30<sup>th</sup>, 2021.

### **POINTS OF CONSIDERATION:**

WIOA Section 121(d) establishes the requirement for the procurement of One Stop Operators in the workforce system. 20 CFR, Subpart D - sections 678.500 – 678.635 establishes the parameters of duties for such operators.

Staff is currently updating the RFP release. Due to the extensive requirements of an RFP release it is important that adequate time is provided to all responding organizations to provide a response. Additionally, staff needs adequate time to review all submissions in order to conduct a proper evaluation of all responses.

### **STAFF RECOMMENDATIONS:**

Approve release of a Request for Proposals for One Stop Operator services.

### **COMMITTEE ACTION:**

Lanny Mathis approved the request for One Stop Operator services and change the request from an RFP to an ITN. Jorge Martinez seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Career Center Meeting - Thursday, November 19, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

Youth Services Invitation to Negotiate

### **BACKGROUND:**

CareerSource Citrus Levy Marion currently contracts services for In-School and Out of School Youth. The current contract with Eckerd Kids is set to expire on June 30<sup>th</sup>, 2021.

### **POINTS OF CONSIDERATION:**

Procurement standards require that all service provider contracts are opened for bid at minimum, every four years. The last contract for youth services was established in 2017 and has been renewed the maximum times allowable (three renewals for a total of four service years).

Staff is currently updating the ITN release. Due to the extensive requirements of an ITN release it is important that adequate time is provided to all responding organizations to provide a response. Additionally, staff needs adequate time to review all submissions in order to conduct a proper evaluation of all responses.

### **STAFF RECOMMENDATIONS:**

Approve release of an Invitation to Negotiate for Youth services.

### **COMMITTEE ACTION:**

Jorge Martinez made a motion to approve the Youth Service Provider ITN. Lanny Mathis seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Career Center Meeting - Thursday, November 19, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

Payroll Services Request for Quotes

### **BACKGROUND:**

CareerSource Citrus Levy Marion currently offers an internship/work experience (WE) program to support the transition to employment by providing eligible trainees 12 weeks of work experience through work-based training opportunities with public agencies and private sector businesses in Citrus, Levy and Marion Counties. CSCLM is seeking a payroll/staffing firm to payroll services and act as the employer of record for all internship and work experience trainees.

Our current contract for payroll services is in its fourth and final year and will end on June 30, 2021. We are in need of establishing a new contract for payroll services to take place for program year beginning July 1, 2021.

### **POINTS OF CONSIDERATION:**

This RFQ will solicit proposals for a new contractor. Staff will submit the proposals to the Executive Committee for review and selection at the next scheduled meeting.

### **STAFF RECOMMENDATIONS:**

Approve release of a Request for Quotes for Payroll services.

### **COMMITTEE ACTION:**

Lanny Mathis made a motion to approve the WE/Internship Payroll Services RFQ. Jorge Martinez seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

Budget/Expenditures reports for period 7/1/20-9/30/20 and updated 2020 budget

### **BACKGROUND:**

### **POINTS OF CONSIDERATION:**

Budget/Expenditures summary reports (attachments 1 & 2)

Budget 2020 (attachments 3 & 4) was updated for the below:

- Supplemental WIOA funds \$158,988
- WIOA Performance Incentive funds \$25,144

### **STAFF RECOMMENDATIONS:**

Approve budget/expenditures summary reports and updated 2020 budget

### **COMMITTEE ACTION:**

Charles Harris approved the expenditure reports and the budget updates. Al Jones seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

One Stop Operator Services Request for Proposal

### **BACKGROUND:**

TPMA is the contracted One Stop Operator as required under the Workforce Innovation and Opportunity Act. The current contract with TPMA is set to expire on June 30<sup>th</sup>, 2021.

### **POINTS OF CONSIDERATION:**

WIOA Section 121(d) establishes the requirement for the procurement of One Stop Operators in the workforce system. 20 CFR, Subpart D - sections 678.500 – 678.635 establishes the parameters of duties for such operators.

Staff is currently updating the RFP release. Due to the extensive requirements of an RFP release it is important that adequate time is provided to all responding organizations to provide a response. Additionally, staff needs adequate time to review all submissions in order to conduct a proper evaluation of all responses.

The Career Center Committee approved the request for the RFP.

### **STAFF RECOMMENDATIONS:**

Approve release of a Request for Proposals for One Stop Operator services.

### **COMMITTEE ACTION:**

Pete Beasley approved the change from the One Stop Operator RFP to an ITN. Al Jones seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

Youth Services Invitation to Negotiate

### **BACKGROUND:**

CareerSource Citrus Levy Marion currently contracts services for In-School and Out of School Youth. The current contract with Eckerd Kids is set to expire on June 30<sup>th</sup>, 2021.

### **POINTS OF CONSIDERATION:**

Procurement standards require that all service provider contracts are opened for bid at minimum, every four years. The last contract for youth services was established in 2017 and has been renewed the maximum times allowable (three renewals for a total of four service years).

Staff is currently updating the ITN release. Due to the extensive requirements of an ITN release it is important that adequate time is provided to all responding organizations to provide a response. Additionally, staff needs adequate time to review all submissions in order to conduct a proper evaluation of all responses.

The Career Center Committee approved the request for the ITN.

### **STAFF RECOMMENDATIONS:**

Approve release of an Invitation to Negotiate for Youth services.

### **COMMITTEE ACTION:**

Rachel Riley made a motion to approve the Youth Services Provider ITN. Ted Knight seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

Payroll Services Request for Quotes

### **BACKGROUND:**

CareerSource Citrus Levy Marion currently offers an internship/work experience (WE) program to support the transition to employment by providing eligible trainees 12 weeks of work experience through work-based training opportunities with public agencies and private sector businesses in Citrus, Levy and Marion Counties. CSCLM is seeking a payroll/staffing firm to payroll services and act as the employer of record for all internship and work experience trainees.

Our current contract for payroll services is in its fourth and final year and will end on June 30, 2021. We are in need of establishing a new contract for payroll services to take place for program year beginning July 1, 2021.

### **POINTS OF CONSIDERATION:**

This RFQ will solicit proposals for a new contractor. Staff will submit the proposals to the Executive Committee for review and selection at the next scheduled meeting.

The Career Center Committee approved the request for the RFQ.

### **STAFF RECOMMENDATIONS:**

Approve release of a Request for Quotes for Payroll services.

### **COMMITTEE ACTION:**

Al Jones made a motion to approve the Payroll Services RFQ. Pete Beasley seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

CEO Contract

### **BACKGROUND:**

One of the stipulations in the contract is that the Board will provide the CEO with life insurance equal to twice the annual salary.

Due to age and health issues, staff and the CEO are unable to secure the additional coverage that will allow the Board to honor that requirement.

### **POINTS OF CONSIDERATION:**

Currently life insurance in effect is for \$250,000.

### **STAFF RECOMMENDATIONS:**

Amend the CEO contract to change the language to reflect a limit of \$250,000.  
CEO concurs with this recommendation.

### **COMMITTEE ACTION:**

Pete Beasley made a motion to amend the language for the life insurance stipulation in the CEO contract. Al Jones seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

Board Vacancies

### **BACKGROUND:**

Federal law requires that the Board have over 50% private sector membership. The attached terms matrix shows that the Board currently has four private sector vacancies. Two of these are in Levy and Marion and Citrus have one each. Board member Nicole Nash has not responded to inquiries from staff and she is no longer with the employer she listed. Stacy Swain, from Levy County has advised us that because of her business she will be unable to be a member. The other seats have been vacant and need to be filled.

These vacancies mean that our private sector membership is at 39.4% whereas if all seats were filled we would be at 51.5%.

Recent draft policies from DEO emphasize that the Board and Elected Officials should be leading the efforts to fill vacancies and that staff should only be used to provide information to prospective nominees.

### **POINTS OF CONSIDERATION:**

In the past, if one county cannot fill its seats, nominees from other counties were appointed by the Consortium members.

Another option is that the Board recommend reducing the number of total non- private sector board seats and reducing the number of private sector seats

### **STAFF RECOMMENDATIONS:**

The Board Chair should appoint a Member Recruitment Committee whose sole function is to monitor membership and develop a recruitment approach that will enlist board members and partners to fill vacancies.

### **COMMITTEE ACTION:**

Charles Harris made a motion to create an ad hoc member recruitment committee for one year. After the year, the committee will be reviewed to see if it should become a permanent committee of the board. Al Jones seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

Personal Request: Kathleen's Phone

### **BACKGROUND:**

Kathleen has requested that she be allowed to keep her phone by purchasing it from CLM. Dwain has researched the fair market value (FMV) of the phone and has advised that the buy back value is \$153.00

If approved, we will coordinate the transition of the phone off our account to Kathleen.

### **POINTS OF CONSIDERATION:**

The phone is not a piece of capital equipment and therefore disposal of the phone is not governed by state or federal rules. Dwain has established the FMV.

### **STAFF RECOMMENDATIONS:**

Committee decision

### **COMMITTEE ACTION:**

Al Jones made a motion to approve transitioning Kathleen Woodring's cell phone from the CLM account to Kathleen Woodring's personal account. Charles Harris seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.



## **RECORD OF ACTION/APPROVAL**

**Executive Committee Meeting, Wednesday, December 2, 2020  
Board Meeting – Wednesday, December 9, 2020**

### **TOPIC/ISSUE:**

FWDA Dues

### **BACKGROUND:**

DEO has determined that FWDA dues cannot be paid using federal funds. This is a unique designation. No other state has made such a determination based on discussions I have had with NAWB.

The primary costs associated with FWDA dues is the legislative liaison. Federal rules regarding lobbying are closely followed and any “lobbying” expenses (separately billed) are paid out of unrestricted funds paid to FWDA by local boards.

This service is essential to educate legislative leaders and members on FWDA/workforce issues.

### **POINTS OF CONSIDERATION:**

FWDA is in the process of requesting a review of this determination, but in the interim, dues may need to be collected to keep the legislative liaison working for our local system.

### **STAFF RECOMMENDATIONS:**

Approve paying from our unrestricted funds any dues related to maintaining these services.

### **COMMITTEE ACTION:**

Al Jones made a motion to utilize unrestricted funds for FWDA dues and related legislative liaison services. Pete Beasley seconded the motion. Motion carried.

### **BOARD ACTION:**

This item was part of the consent agenda. Bruce Register made a motion to approve all consent agenda items. Charles Harris seconded the motion. Motion carried.

**CITRUS, LEVY, MARION REGIONAL  
WORKFORCE DEVELOPMENT BOARD, INC.**

**D/B/A CAREERSOURCE  
CITRUS LEVY MARION**

**Financial Statements, Supplemental  
Information and Independent  
Auditors' Reports**

**For the Fiscal Year Ended June 30, 2020**

**CITRUS, LEVY, MARION REGIONAL  
WORKFORCE DEVELOPMENT BOARD, INC.**

**D/B/A CAREERSOURCE  
CITRUS LEVY MARION**

**Financial Statements, Supplemental  
Information and Independent  
Auditors' Reports**

**For the Fiscal Year Ended June 30, 2020**

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**Powell & Jones**  
Certified Public Accountants

Richard C. Powell, Jr., CPA  
Marian Jones Powell, CPA

1359 S.W. Main Blvd.  
Lake City, Florida 32025  
386 / 755-4200

Fax: 386 / 719-5504  
admin@powellandjonescpa.com

## **INDEPENDENT AUDITORS' REPORT**

**Board of Directors**  
Citrus, Levy, Marion Regional Workforce Development Board, Inc.  
Ocala, Florida

We have audited the accompanying financial statements of the governmental activities and the major fund of Citrus, Levy, Marion Regional Workforce Development Board, Inc. d/b/a CareerSource Citrus Levy Marion (the Board), as of and for the year ended June 30, 2020 and the related notes to the financial statements, which collectively comprise the Board's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the governmental activities and major fund of the Board as of June 30, 2020, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

***Other Matters—Required Supplementary Information***

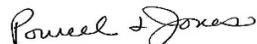
Accounting principles generally accepted in the United States of America require that management's discussion and analysis (pages 5 - 8) and budgetary comparison information (page 22) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

***Other Matters—Other Information***

Our audit was conducted for the purpose of forming opinions on the financial statements as a whole. The accompanying Schedule of Expenditures of Federal Awards is presented for the purposes of additional analysis as required by Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and is not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Expenditures of Federal Awards is fairly stated, in all material respects, in relation to the financial statements as a whole.

***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated March 3, 2021, on our consideration of the Board's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Board's internal control over financial reporting and compliance.



**POWELL & JONES**  
**Certified Public Accountants**  
**Lake City, Florida**  
**March 3, 2021**

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**  
**MANAGEMENT'S DISCUSSION AND ANALYSIS**  
**June 30, 2020**

This discussion and analysis of the financial performance of Citrus, Levy, Marion Regional Workforce Development Board, Inc. (the Board) provides an overview of financial activities for the fiscal year ended June 30, 2020. Please read it in conjunction with the financial statements which follow this section.

### **FINANCIAL HIGHLIGHTS**

The following are various financial highlights:

- Overall net position decreased by \$(53,249) which is about 20%.
- Unrestricted net position at June 30, 2020, was \$205,863.
- The Board incurred total expenses for the year of about \$7,655,233, compared to revenues of approximately \$7,601,984.

### **OVERVIEW OF THE BASIC FINANCIAL STATEMENTS**

This discussion and analysis is intended to serve as an introduction to the Board's basic financial statements. These basic statements consist of government-wide financial statements, fund financial statements and notes to the financial statements. The government-wide financial statements present an overall picture of the Organization's financial position and results of operations. The fund financial statements present financial information for the General Fund of the Organization. The notes to the financial statements provide additional information concerning the Organization's finances that are not disclosed in the government-wide or fund financial statements.

**Government-Wide Financial Statements and Governmental Fund Financial Statements** - All of the activities of the Organization are considered to be governmental activities. The Organization has no business-type activities, which are generally financed in whole or in part by fees charged to external parties for goods or services.

The *government-wide financial statements* provide both long-term and short-term information about the overall financial status of the Organization. These statements use a format similar to a private sector business and are presented on the accrual basis. They include a statement of net position and a statement of activities.

The first financial statement is the *Statement of Net Position*. This government-wide financial statement includes long-term information such as capital assets and long-term liabilities, if any. The amounts in this statement are accounted for using the accrual basis of accounting. Accrual accounting is similar to the accounting used by most private-sector companies. All of the current year revenues and expenses are recorded, regardless of when cash is received or paid. Net position, the difference between these assets and liabilities, is a useful way to measure the financial health of the Organization.

The second financial statement is the *Statement of Activities*. This statement includes all of the revenues and expenses of the Organization and reconciles beginning and ending net position.

- This government-wide financial statement includes all of the current year revenues and expenses, regardless of when cash is received or paid. The amounts in this statement are accounted for using the accrual basis of accounting as discussed above. Over time, the increases or decreases in net position are useful indicators of whether the financial health of the Organization is improving or deteriorating. However, other non-financial factors, such as changes in population and in federal funding, must also be considered when assessing the overall health of the Board.

The *governmental fund financial statements* provide information on the current assets and liabilities of the General Fund, changes in current financial resources (revenues and expenditures) and current available resources.

- The *General Fund Balance Sheet* focuses on events that produce near-term inflows and outflows of spendable resources as well as on the balances of spendable resources available at the end of the year. The amounts are accounted for using modified accrual accounting. Modified accrual accounting focuses on available cash and other financial assets that can readily be converted to cash. This provides a shorter-term view of the governmental fund's financial position.
- The *General Fund Statement of Revenues, Expenditures and Changes in Fund Balance* focuses on events that produce near-term inflows and outflows of spendable resources, as well as on the balances of spendable resources available at the end of the year. These amounts are accounted for using modified accrual accounting, as discussed above.

## CONDENSED FINANCIAL INFORMATION

The following tables present condensed, government-wide current year and prior year data about net position and changes in net position:

<b>Net Position</b>	<b>2020 Governmental Activities</b>	<b>2019 Governmental Activities</b>
<b>Assets:</b>		
Non-capital assets	\$ 1,028,171	\$ 1,768,992
Capital assets, net	8,094	9,868
<b>Total assets</b>	<u>1,036,265</u>	<u>1,778,860</u>
<b>Liabilities:</b>		
Current liabilities	498,675	1,256,381
Non-current liabilities	323,633	255,273
<b>Total liabilities</b>	<u>822,308</u>	<u>1,511,654</u>
<b>Net assets:</b>		
Net investment in capital assets	8,094	9,868
Unrestricted	205,863	257,338
<b>Total net position</b>	<u>\$ 213,957</u>	<u>\$ 267,206</u>

<b>Change in Net Position</b>	<b>2020 Governmental Activities</b>	<b>2019 Governmental Activities</b>
General revenues:		
Governmental grants and contributions	\$ 7,408,213	\$ 6,972,014
Other revenues	193,771	91,793
Total revenues	<u>7,601,984</u>	<u>7,063,807</u>
Program expenses:		
Administration and general	791,971	1,107,819
Client services:		
Direct and contract provided	6,861,487	5,969,103
Depreciation	1,775	2,499
Total expenses	<u>7,655,233</u>	<u>7,079,421</u>
Change in net position	(53,249)	(15,614)
Beginning net position	<u>267,206</u>	<u>282,820</u>
Ending net position	<u>\$ 213,957</u>	<u>\$ 267,206</u>

## OVERALL FINANCIAL POSITION AND RESULTS OF OPERATIONS

### Governmental Activities

The governmental activities generated program income of \$192,176, interest income of \$1,595 and grant and contractual revenue of \$7,408,213. The Organization incurred \$7,655,233 of program expenses. This resulted in a decrease in net position of \$(53,249).

### General Fund

The fund balance of the General Fund has increased by \$16,886, from \$512,610 to \$529,496. This change is due to budgetary management and the fact that almost all of the operations of the Organization are funded by grantors. There is an assignment of fund balance for an accrued leave liability of \$323,633 and a non-spendable balance of \$58,830 for prepaid expenses and deposits. Unassigned fund balance was \$147,033.

### BUDGETARY HIGHLIGHTS

**General Fund.** The original budget was based on funding projections and included all funds expected to be available. During the year the budget is amended as funding commitments are received. Finally, the final budget is adjusted for estimates of amounts to be carried forward to subsequent years.

### CAPITAL ASSETS AND DEBT ADMINISTRATION

#### Capital Assets

The Organization had no significant capital asset activity for the fiscal year ended June 30, 2020. Please refer to a note to the accompanying financial statements entitled *Capital Assets and Depreciation* for more detailed information about the Organization's capital asset activity.

**Debt Administration**

The Organization's only long-term debt is its accrual for compensated absences. Please refer to a note to the accompanying financial statements entitled *Long Term Liabilities* for more detailed information about long-term debt activity.

**ECONOMIC FACTORS**

The Organization currently is not aware of any conditions that are expected to have a significant effect on the Organization's financial position or results of operations.

**CONTACTING FINANCIAL MANAGEMENT**

This financial report is designed to provide a general overview of the finances of the Organization and to show accountability for the money it receives. If you have any questions about this report or need additional financial information, contact Susan Heller, Vice President of Finance, Citrus, Levy, Marion Regional Workforce Development Board, Inc., 3003 SW College Road, Suite 107, Ocala, FL 34474.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**STATEMENT OF NET POSITION**

**JUNE 30, 2020**

<b>Assets:</b>	
Cash	\$ 435,114
Grants Receivable	366,022
Accounts and Contracts Receivable	168,205
Prepaid Expenses	51,844
Deposits	6,986
Capital Assets, Net of Depreciation	8,094
<b>Total Assets</b>	<b><u><u>\$1,036,265</u></u></b>
<b>Liabilities:</b>	
Accounts Payable and Accrued Expenses	\$ 374,687
Unearned Revenue	123,988
Accrued Compensated Absences	323,633
<b>Total Liabilities</b>	<b><u><u>822,308</u></u></b>
<b>Net Position:</b>	
Net Investment in Capital Assets	8,094
Unrestricted	205,863
<b>Total Net Position</b>	<b><u><u>\$ 213,957</u></u></b>

See notes to financial statements.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**STATEMENT OF ACTIVITIES**

**FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

Functions/Programs	Program Expenses		Program Revenue		Net (Expenses) Revenue and Changes in Net Position
	Direct	Indirect	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities
Governmental activities:					
Economic environment					
Jobs training and placement	\$ 6,863,262	\$ 791,971	\$ 7,408,213	\$ -	\$ (247,020)
Total governmental activities	<u>\$ 6,863,262</u>	<u>\$ 791,971</u>	<u>\$ 7,408,213</u>	<u>\$ -</u>	<u>\$ (247,020)</u>
				General revenue:	
				Interest	1,595
				Other	<u>192,176</u>
				Total general revenue	<u>193,771</u>
				Changes in net position	(53,249)
				Net position, beginning of year	<u>267,206</u>
				Net position, end of year	<u>\$ 213,957</u>

See notes to financial statements.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**GOVERNMENTAL FUND  
BALANCE SHEET  
JUNE 30, 2020**

<b>Assets:</b>	<u>General Fund</u>
Cash	\$ 435,114
Grants Receivable	366,022
Accounts and Contracts Receivable	168,205
Prepaid Expenses	51,844
Deposits	6,986
<b>Total Assets</b>	<u><u>\$1,028,171</u></u>
 <b>Liabilities:</b>	
Accounts Payable and Accrued Expenses	\$ 374,687
Unearned Revenue	<u>123,988</u>
<b>Total Liabilities</b>	<u>498,675</u>
 <b>Fund Balance:</b>	
Non-spendable - Deposits and Prepaid Expenses	58,830
Assigned - Compensated Absences	323,633
Unassigned	<u>147,033</u>
<b>Total Fund Balance</b>	529,496
 Amounts reported for governmental activities in the Statement of Net Position are different because:	
Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds.	8,094
 Long-term liabilities are not due and payable in the current period and , therefore, are not reported in the funds.	<u>(323,633)</u>
<b>Net position of governmental activities</b>	<u><u>\$ 213,957</u></u>

See notes to financial statements.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**  
**GOVERNMENTAL FUND**  
**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

	General Fund
<b>Revenues:</b>	
Grants and contributions	\$ 7,408,213
Other Income	192,176
Interest Income	1,595
<b>Total Revenues</b>	<b>7,601,984</b>
<b>Expenditures:</b>	
Indirect	
Administrative	657,282
General	134,689
Direct Services	5,986,293
Contracted Provider	806,834
<b>Total Expenses/Expenditures</b>	<b>7,585,098</b>
<b>Total Change in Fund Balance</b>	16,886
<b>Fund Balance, July 1, 2019</b>	<b>512,610</b>
<b>Fund Balance, June 30, 2020</b>	<b>\$ 529,496</b>

See notes to financial statements.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**  
**RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES**  
**IN FUND BALANCE OF THE GOVERNMENTAL FUND TO THE STATEMENT OF ACTIVITIES**  
**FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

Amounts reported for governmental activities are different because:

Net change in fund balance - governmental fund	\$	16,886
The governmental fund reports capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which depreciation exceeded capital outlay in the current period.		(1,775)
Some expenses in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in the governmental funds. This amount represents the increase in accrued compensated absences for the current period.		(68,360)
Change in net position of governmental activities	<u>\$</u>	<u>(53,249)</u>

See Notes to Financial Statements.

**CITRUS, LEVY MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**  
**NOTES TO FINANCIAL STATEMENTS**  
**June 30, 2020**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**Financial Reporting Entity**

Citrus, Levy, Marion Regional Workforce Development Board, Inc. d/b/a CareerSource Citrus Levy Marion (the Organization) was incorporated as a nonprofit Organization on June 17, 1996; under the provisions of the Florida Not-For-Profit Organization Act set forth in Chapter 617, Florida Statutes. The Organization exists as a result of the passage of the Workforce Florida Act of 1996, as subsequently amended, and the Inter-local Agreement establishing the Citrus, Levy, Marion Workforce Development Consortium. The Organization has been determined to be a special district within the meaning of the Uniform Special District Accountability Act of the laws of the State of Florida. The Organization is a special-purpose government.

The purpose of the Organization is to fulfill those duties and responsibilities provided for by the Workforce Innovation and Opportunity Act, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Balanced Budget Act of 1997 and the Workforce Florida Act of 1996, as amended; consistent with the provisions of job training, job placement and benefit services to the citizens of Citrus, Levy and Marion Counties, Florida.

The governing board of the Organization is the Board of Directors. As required by generally accepted accounting principles, the financial statements of the reporting entity include those of the Organization (the primary government unit) and its component units. There were no entities that required inclusion as a component unit within the Organization's financial statements.

**Basis of Presentation**

The basic financial statements have been prepared in conformity with the accounting principles and reporting guidelines established by the Governmental Accounting Standards Board (GASB).

**Basis of Accounting and Measurement Focus**

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenditures are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Organization considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

However, expenditures related to compensated absences are recorded only when payment is due.

The Organization uses the following fund type - the General Fund. This fund is the Organization's only operating fund. It is used to account for all revenues and expenditures applicable to the general operations of the Organization. The fund is charged with all costs of operations.

### **Budgets and Budgetary Process**

The Board of Directors adopts an annual operating budget, which can be amended by the Organization throughout the year. The budget is adopted using the same basis of accounting that is used to reflect actual revenues and expenditures.

### **Functional Allocation of Expenses**

The costs of providing the various programs and other activities of the Organization have been summarized on a functional basis in the Statement of Activities. Certain costs are allocated to the various programs and supporting services of the Organization based on the Cost Allocation Plan submitted to and approved by the U.S. Department of Labor. Costs that are directly related to the Organization's specific purposes have been recorded as direct expense and included as program services. Costs which are directly shared have been allocated among programs and supporting services based upon personnel activity reports or another allocation base which reflects the proportionate share of the benefits received. Indirect costs are allocated to benefiting programs based upon an indirect cost rate approved by the U.S. Department of Labor.

### **Receivables**

All receivables are reported at their gross value and, where appropriate, are reduced by the estimated portion that is expected to be uncollectible. No portion of receivables has been estimated as uncollectible by the Organization. All receivables are considered fully collectible.

### **Fund Balance**

Governmental funds report separate classifications of fund balance.

**Non-Spendable.** The non-spendable fund balance classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) legally or contractually required to be maintained intact.

**Restricted.** The restricted fund balance is defined as having restrictions (a) externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or (b) imposed by law through constitutional provisions or enabling legislation.

**Committed.** Committed fund balance is defined as amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Organization's Board of Directors.

**Assigned.** Assigned fund balance is defined as amounts that are constrained by the Organization's Board of Directors' intent to be used for specific purposes, but are neither restricted nor committed. The Organization has given the authority to assign fund balance to the Executive Director. Assigned fund balance includes spendable fund balance amounts established by the Executive Director that are intended to be used for specific purposes that are neither considered restricted or committed. Assignment of fund balance may be (a) made for a specific purpose that is narrower than the general purposes of the government itself; and/or (b) used to reflect the appropriation of a portion of existing unassigned fund balance to eliminate a projected deficit in the subsequent year's budget in an amount no greater than the projected excess of expected expenditures over expected revenues. Assigned fund balance shall reflect management's intended use of resources as set forth each year by the Executive Director. Assigned fund balance may or may not be appropriated for expenditure in the subsequent year depending on the timing of the project/reserve for which it was assigned.

**Unassigned.** Unassigned fund balance is the residual classification for the general fund.

It is the policy of the Organization that they will use restricted resources to the extent that they are available, then committed resources, followed by assigned resources. Once these are consumed, the Organization will then use unassigned resources. The Organization does not have a formal policy requiring a minimum fund balance.

**Accounting Estimates**

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenditures/expenses during that reported period. Actual results could differ from those estimates.

**Property and Equipment**

Property and equipment acquired are recorded as expenditures in governmental funds and are stated at cost in the government-wide statements. Property and equipment are defined by the Organization as assets with an initial, individual cost of \$5,000 or more and an estimated useful life of more than one year. Depreciation has been recorded using the straight-line method over estimated useful lives of 3 to 20 years as follows:

<u>Assets</u>	<u>Years</u>
Office Equipment	7
Miscellaneous Equipment	20
Data Processing Equipment	3 – 15

**Pension Plan**

The provision for pension cost is recorded on an annual basis. The Organization's policy is to fund pension costs as they accrue. See Note 5.

## **Cash**

The Organization pools cash resources of its various programs to facilitate the management of cash. Cash applicable to a particular program is readily identifiable. The balance in the pooled cash accounts is held at a bank that is a member of the State of Florida pool for pledging securities against fund deposits and is available to meet current operating requirements. As a result, the Organization has no need for a policy regarding deposit custodial credit risk.

## **Prepaid Items**

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. Prepaid assets are reported as “non-spendable” in the fund financial statements to indicate that prepaid amounts do not represent available expendable resources.

## **Vacation, Sick Leave, and Other Compensated Absences**

The Organization's employees are entitled to certain compensated absences based on length of employment and other factors. With minor exceptions, compensated absences either vest or accumulate and are accrued when they are earned. Compensated absences are accrued at June 30, 2020, in the amount of \$323,633. See Note 4.

## **Post Employment Healthcare Benefits**

The Organization does not provide post employment healthcare benefits except those mandated by the Consolidated Omnibus Budget Reconciliation Act (COBRA). The requirements established by COBRA are fully funded by employees who elect coverage under the Act, and no direct costs are incurred by the Organization.

## **Fair Value of Financial Instruments**

The following methods and assumptions were used to estimate fair value of each class of financial instruments for which it is feasible to estimate that value:

Cash, Accounts Receivable and Accounts payable – Carrying amount approximates fair value due to the short maturity of these financial instruments.

## **NOTE 2. GOVERNMENT-WIDE VS. FUND FINANCIAL STATEMENTS**

**Governmental Fund Balance Sheet to Statement of Net Position** - Amounts reported for Governmental activities in the Statement of Net Assets are different because:

**Capital assets** - Capital assets used in governmental activities are not reported in the governmental funds.

Cost of capital assets	\$	465,652
Accumulated depreciation		(457,558)
	\$	<u>8,094</u>

**Long-term liabilities** - Long-term liabilities are not reported in the governmental funds.

Compensated absences	\$ 323,633
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**Governmental Fund Revenues, Expenditures and Changes in Fund Balance to Statement of Activities** - Amounts reported for governmental activities in the Statement of Activities are different because:

Governmental funds report capital outlays as expenditures. However, in the Statement of Activities, the cost of those assets is depreciated over their estimated useful lives.

Current year depreciation expense	\$ (1,775)
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An increase in compensated absences liability decreases net position, but has no effect on fund balance.

Current year net increase in compensated absences	\$ (68,360)
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**NOTE 3. CAPITAL ASSETS AND DEPRECIATION**

Capital asset activity for the year ended June 30, 2020, was as follows:

	Balance July 1, 2019	Additions	Deletions	Balance June 30, 2020
Capital assets being depreciated:				
Office equipment	\$ 34,600	\$ -	\$ -	\$ 34,600
Miscellaneous equipment	300,672	-	-	300,672
Data processing equipment	130,380	-	-	130,380
Total capital assets being depreciated	465,652	-	-	465,652
Accumulated depreciation:				
Office equipment	34,600	-	-	34,600
Miscellaneous equipment	297,227	348	-	297,575
Data processing equipment	123,956	1,427	-	125,383
Total accumulated depreciation	455,783	1,775	-	457,558
Net capital assets	\$ 9,869	\$ (1,775)	\$ -	\$ 8,094

**NOTE 4. LONG-TERM LIABILITIES**

Long-term liabilities consist of compensated absences:

	Balance July 1, 2019	Additions	Deletions	Balance June 30, 2020
Compensated absences	\$ 255,273	\$ 68,360	\$ -	\$ 323,633

**NOTE 5. PENSION PLAN**

The Organization authorized the establishment of a defined contribution benefit plan as governed by Section 403(b) of the Internal Revenue Code. All employees 18 years or older are eligible to participate. Employees may contribute to the plan by entering into a salary reduction agreement with the Organization. The Organization shall determine on an annual basis, at its sole discretion, the amount of employer contributions to be made to the plan for each plan year. Employee participants shall at all times have a fully vested and non-forfeitable interest in their account. The plan is administered by the Variable Annuity Life Insurance Company (Valic). The following is a schedule of contributions to the plan for the last three years.

Year Ended June 30	Organization Contributed
2018	\$ 177,965
2019	189,301
2020	189,400

**NOTE 6. OBLIGATION UNDER OPERATING LEASES**

The Organization leases office space under contracts accounted for as operating leases. Total lease expense, net, for the period ended June 30, 2020, were \$274,935. Minimum future lease payments under these operating leases are as follows:

For the Year Ended June 30	
2021	\$ 298,545
2022	283,448
2023	266,895
2024	243,749
	<u>\$ 1,092,637</u>

**NOTE 7. SERA RECONCILIATION**

Reconciliations of the Organization's financial records to the expenditures reported in the Subrecipient Enterprise Resource Application (SERA) are required to be completed monthly by the Organization for all awards from the Department of Economic Opportunity (DEO). These reconciliations were completed as required, and the Organization's financial records are reconciled with the reported expenditures in SERA for the year ended June 30, 2020.

**NOTE 8. COMMITMENTS, CONTINGENCIES, AND CLAIMS**

The Organization receives substantially all of its support through federal and state funding. A significant reduction in the level of this support, if this were to occur, would have an effect on the Organization's programs and activities.

Grants require the fulfillment of certain conditions set forth in the instrument of the grant. Failure to fulfill the conditions could result in the return of the funds to grantors. Although this is a possibility, the Board and Management deems the contingency remote.

**NOTE 9. RISK MANAGEMENT**

The Organization is exposed to various risks of loss, including general liability, personal injury, workers compensation, and errors and omissions. To manage its risks, the Organization has purchased commercial insurance. Settled claims resulting from these risks have not materially exceeded commercial coverage in the current and previous three years.

**NOTE 10. FAIR VALUE MEASUREMENTS**

At June 30, 2020, the Organization had no assets or liabilities subject to disclosure of fair value measurements as to valuation levels hierarchy per Financial Accounting Standards Board Statement No. 157.

**NOTE 11. RELATED PARTY BALANCES AND TRANSACTIONS**

The Organization has entered into contractual agreements with local colleges and community organizations, several of which have delegates on the Board of Directors, to carry out its training programs. All of the contracts were approved by the Board of Directors in accordance with procedures established by the Florida Department of Economic Opportunity. These procedures require a two-thirds majority vote of the Board of Directors in favor with the related party abstaining from the vote. Utilization of these training vendors is the decision of the individual participant. Payments made for these services were as follows for the year ended June 30, 2020:

<u>Description</u>	<u>Amount Paid</u>	<u>Payable at June 30, 2020</u>
Training	\$288,455	\$ 5,835

**NOTE 12. INCOME TAXES**

The Organization has been granted an exemption from income taxes under Internal Revenue Code, Section 501(c)(3) as a nonprofit corporation. As required by Internal Revenue Service regulations, the Organization annually files a Form 990, "Return of Organization Exempt from Income Tax" with the Internal Revenue Service. The returns for 2019, 2018 and 2017 are subject to review and adjustment by the Internal Revenue Service. Management has evaluated the effect of the guidance provided by U.S. Generally Accepted Accounting Principles on Accounting for Uncertainty in Income Taxes. Management believes that the Organization continues to satisfy the requirements of a tax-exempt organization at June 30, 2020. Management has evaluated all other tax positions that could have a significant effect on the financial statements and determined the Organization had no uncertain income tax positions.

**NOTE 13. SUBSEQUENT EVENTS**

The Workforce Board has evaluated events and transactions for potential recognition of disclosure in the financial statements through March 3, 2021, the date that the audit report was available to be issued. In March, 2020 the World Health Organization made the assessment that the outbreak of a novel corona virus (COVID-19) was characterized as a pandemic. As a result, uncertainties have arisen that may have a significant negative impact on the operating activities and results of operations of the Organization. The occurrence and extent of such an impact will depend on future developments, including (i) the duration and spread of the virus, (ii) government quarantine measures, (iii) voluntary and precautionary restrictions on travel and meetings, (iv) the effects on the financial markets, and (v) the effects on the economy overall, all of which are uncertain.

**REQUIRED SUPPLEMENTARY INFORMATION**

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE  
BUDGET AND ACTUAL  
GENERAL FUND  
FOR THE FISCAL YEAR ENDED JUNE 30, 2020**

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	Variance With Final Budget Positive (Negative)
<b>Revenues</b>				
Grants and contributions	\$ 7,960,290	\$ 7,960,210	\$ 7,408,213	\$ (551,997)
Other Income	-	-	192,176	192,176
Interest Income	-	-	1,595	1,595
<b>Total Revenues</b>	<u>7,960,290</u>	<u>7,960,210</u>	<u>7,601,984</u>	<u>(358,226)</u>
<b>Expenses/Expenditures</b>				
Indirect				
Administrative	514,742	624,079	657,282	(33,203)
General	593,077	156,531	134,689	21,842
Client Services				
Direct Services	5,880,382	6,207,511	5,986,293	221,218
Contracted Provider	972,089	972,089	806,834	165,255
<b>Total Expenses/Expenditures</b>	<u>7,960,290</u>	<u>7,960,210</u>	<u>7,585,098</u>	<u>375,112</u>
Excess of Revenues over Expenditures	-	-	16,886	16,886
Fund Balance, July 1, 2019	420,409	512,610	512,610	-
<b>Fund Balance, June 30, 2020</b>	<u>\$ 420,409</u>	<u>\$ 512,610</u>	<u>\$ 529,496</u>	<u>\$ 16,886</u>

See notes to Required Supplementary Information.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**  
**NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**  
**For the Fiscal Year Ended June 30, 2020**

**A. Budgetary Information:**

An annual budget is adopted on a basis consistent with accounting principles generally accepted in the United States of America for the general fund. All annual appropriations lapse at fiscal year end.

The Organization generally follows these procedures in establishing the budgetary data for the general fund as reflected in the financial statements:

1. Prior to June 30, the Executive Director submits to the Board of Directors a proposed operating budget for the fiscal year commencing the following July. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted following preliminary examination and revision of the proposed operating budget by the Board.
3. After public hearings and necessary revisions have been completed, the budget is approved.
4. The legal level of budgetary control is the fund level.
5. Formal budgetary integration is employed as a management control device during the year for the General Fund.
6. The budget for the General Fund is adopted on a basis consistent with accounting principles generally accepted in the United States of America.

**B. Excess of Appropriations Over Expenditures**

Appropriations were greater than expenditures in the General Fund.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

**For the Year Ended June 30, 2020**

<u>Federal Grantor/Program Title</u>	<u>Contract Number</u>	<u>Federal CFDA Number</u>	<u>Federal Expenditures</u>
<b><u>U.S. Department of Agriculture</u></b>			
Passed through the Florida Department of Economic Opportunity			
Supplemental Nutrition Assistance Program	FSH19	10.561	\$ 74,800
Supplemental Nutrition Assistance Program	FSH20	10.561	204,691
Total U.S. Department of Agriculture			<u>279,491</u>
<b><u>U.S. Department of Labor:</u></b>			
Youthbuild	YB-31044-17-60-A-12	17.274	228,338
Youthbuild	YB-34257-19-60-A-12	17.274	32,648
			<u>260,986</u>
Passed through the Florida Department of Economic Opportunity			
Workforce Innovation and Opportunity Act (WIOA) Cluster:			
WIOA Adult	WIA19	17.258	76,693
WIOA Adult	WIA20	17.258	1,373,517
WIOA State Level Rural Initiatives	WIS18	17.258	10,313
WIOA Sector Strategies - Bridge to Skilled Trades	WIS18	17.258	7,306
WIOA Apprenticeship Expansion	WIS19	17.258	6,108
WIOA Soft Skills	WIS19	17.258	20,040
WIOA Sector Strategies	WIS19	17.258	60,890
WIOA SFY 17-18 Performance Incentives	WIS19	17.258	5,504
WIOA Technical Assistance Board 9	WIS19	17.258	12,800
WIOA Sector Strategies - Bridge to Skilled Trades	WIS19	17.258	137,578
WIOA SFY 19-20 Performance Incentives	WIS19	17.258	16,092
WIOA COVID-19 PPE	WIS19	17.258	6,104
WIOA SFY19-20 Supplemental WIOA	WIS20	17.258	43,404
WIOA Youth	WIY19	17.259	837,753
WIOA Youth	WIY20	17.259	456,867
WIOA State Level Rural Initiatives	WIS18	17.259	10,313
WIOA Sector Strategies - Bridge to Skilled Trades	WIS18	17.259	7,306
WIOA Apprenticeship Expansion	WIS19	17.259	6,108
WIOA Soft Skills	WIS19	17.259	20,040
WIOA Sector Strategies	WIS19	17.259	60,890
WIOA SFY 17-18 Performance Incentives	WIS19	17.259	5,504
WIOA Technical Assistance Board 9	WIS19	17.259	12,800
WIOA Sector Strategies - Bridge to Skilled Trades	WIS19	17.259	137,578
WIOA SFY 19-20 Performance Incentives	WIS19	17.259	16,092
WIOA COVID-19 PPE	WIS19	17.259	6,104
WIOA SFY19-20 Supplemental WIOA	WIS20	17.259	43,404
WIOA Dislocated Worker	WID20	17.278	938,662
WIOA State Level Rural Initiatives	WIS18	17.278	10,624
WIOA Sector Strategies - Bridge to Skilled Trades	WIS18	17.278	7,528
WIOA Apprenticeship Expansion	WIS19	17.278	6,872
WIOA Soft Skills	WIS19	17.278	22,545
WIOA Sector Strategies	WIS19	17.278	68,501
WIOA SFY 17-18 Performance Incentives	WIS19	17.278	6,192
WIOA Technical Assistance Board 9	WIS19	17.278	14,400
WIOA Sector Strategies - Bridge to Skilled Trades	WIS19	17.278	154,774
WIOA SFY 19-20 Performance Incentives	WIS19	17.278	18,104
WIOA COVID-19 PPE	WIS19	17.278	6,866
WIOA SFY19-20 Supplemental WIOA	WIS20	17.278	53,205
Total WIA Cluster			<u>4,705,381</u>

(Continued)

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
(Continued)  
For the Year Ended June 30, 2020**

<u>Federal Grantor/Program Title</u>	<u>Contract Number</u>	<u>Federal CFDA Number</u>	<u>Federal Expenditures</u>
<b><u>U.S. Department of Labor:</u></b>			
Passed through the Florida Department of Economic Opportunity			
Employment Services Cluster:			
Wagner Peyser	WPA19	17.207	\$ 116,746
Wagner Peyser	WPA20	17.207	189,292
Wagner Peyser - Performance Incentives	WPB19	17.207	4,391
Disabled Veterans Outreach Program	DVP19	17.801	18,818
Disabled Veterans Outreach Program	DVP20	17.801	14,965
Total Employment Services Cluster			<u>344,212</u>
Unemployment Compensation:			
Reemployment and Eligibility Assessments	UCR19	17.225	20,946
			<u>20,946</u>
Trade Adjustment Assistance:			
Trade Adjustment Assistance - Case Management	TAC17	17.245	72
Trade Adjustment Assistance - Case Management	TAC18	17.245	73
			<u>145</u>
Total U.S. Department of Labor			<u>5,331,670</u>
<b><u>U.S. Department of Health and Human Services</u></b>			
Passed through the Florida Department of Economic Opportunity			
Welfare Transition	WTS19	93.558	383,473
Welfare Transition	WTS20	93.558	1,149,621
Total U.S. Department of Health and Human Services			<u>1,533,094</u>
<b>Total Federal Expenditures</b>			<u>\$ 7,144,255</u>

See notes to the Schedule of Expenditures of Federal Awards.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
For the Year Ended June 30, 2020**

**NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

The accounting policies and presentation of the Single Audit Report of the Citrus, Levy, Marion Regional Workforce Development Board, Inc. have been designed to conform to generally accepted accounting principles as applicable to governmental units, including the reporting and compliance requirements described in the OMB Compliance Supplement, Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance).

**Reporting Entity**

The reporting entity consists of Citrus, Levy, Marion Regional Workforce Development Board, Inc., the primary government. Management has determined that there are no component units.

**A. Basis of Accounting**

Basis of accounting refers to when revenues and expenditures or expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus.

The modified accrual basis of accounting is followed in the Schedule of Expenditures of Federal Awards. Under the modified accrual basis, revenues are recognized when they become measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the County considers revenues to be available if they are collected within 60 days after the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

**NOTE 2. INDIRECT COST RATE**

Citrus, Levy, Marion Workforce Development Board, Inc. did not elect to use the 10 percent de minimis indirect cost rate.

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS  
For the Year Ended June 30, 2020**

**NOTE 3. SUBRECIPIENTS**

The Organization provided federal awards to subrecipients as follows during the year ended June 30, 2020:

<u>Program</u>	<u>CFDA Number</u>	<u>Amount</u>
Disabled Veterans Outreach Program	17.801	\$ 384
Reemployment and Eligibility Assessments	17.225	229
Supplemental Nutrition Assistance Program	10.561	2,978
WIOA Youth	17.259	964,936
WIOA Adult	17.258	22,912
WIOA Dislocated Worker	17.278	16,137
WIOA COVID-19 PPE	17.258/17.259/17.278	202
WIOA Sector Strategies	17.258/17.259/17.278	2,017
WIOA Bridge to Skilled Trades	17.258/17.259/17.278	4,799
WIOA Rural Initiatives	17.258/17.259/17.278	425
Wagner Peyser	17.207	12,792
Welfare Transition	93.558	16,552
Youthbuild	17.274	253,883
		<u>\$ 1,298,246</u>

## MANAGEMENT LETTER

Board of Directors  
Citrus, Levy, Marion Regional Workforce Development Board, Inc.  
Ocala, Florida

We have audited the financial statements of Citrus, Levy, Marion Regional Workforce Development Board, Inc. (the Organization) as of and for the fiscal year ended June 30, 2020, and have issued our report thereon dated March 3, 2021.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance); and Chapter 10.550, *Rules of the Florida Auditor General*. We have issued our Independent Auditor's Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Audit Standards*, Independent Auditor's Report on Compliance for Each Major Federal Program and on Internal Control over Compliance Required by the Uniform Guidance and Schedule of Findings and Questioned Costs; and Independent Accountant's Report on an examination conducted in accordance with the American Institute of Certified Public Accountants Professional Standards, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, *Rules of the Auditor General*. Disclosures in those reports and schedule, which are dated March 3, 2021, should be considered in conjunction with this management letter.

Additionally, our audit was conducted in accordance with:

- Chapter 10.550, *Rules of the Auditor General*, which governs the conduct of local governmental entity audits performed in the State of Florida.
- Special audit guidance provided by the Department of Economic Opportunity (DEO).

This letter includes the following information, which is not included in the aforementioned auditor's reports or schedule:

- Section 10.554(1)(i)1. *Rules of the Auditor General*, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. There were no findings or recommendations made in the preceding annual financial audit report.
- Section 10.554(1)(i)2., *Rules of the Auditor General*, requires that we address in the management letter any recommendations to improve financial management. The special audit guidance provided by DEO requires disclosure in this management letter for those findings and observations not otherwise included in the aforementioned auditor's reports or schedule. In connection with our audit, we did not have any such findings, observations, or recommendations.

- Section 10.554(1)(i)3., *Rules of the Auditor General*, requires that we address noncompliance with provisions of contracts or grant agreements; or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.
- Section 10.554(1)(i)4., *Rules of the Auditor General*, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. See Financial Reporting Entity under Note 1 to the financial statements. The Organization does not have any component units.
- Section 10.554( 1 )(i)5.a. and 10.556(7), *Rules of the Auditor General*, requires us to apply appropriate procedures and communicate the results of our determination as to whether or not the Organization has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific condition(s) met. In connection with our audit, we determined that the Organization did not meet any of the conditions described in Section 218.503( 1 ), Florida Statutes.
- Pursuant to Section 10.554( 1 )(i)5.b.and 10.556(8), *Rules of the Auditor General* we applied financial condition assessment procedures for the Organization. It is management’s responsibility to monitor the Organization’s financial condition, and our financial condition assessment was based in part on representations made by management and review of financial information provided by management.
- This management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and other granting agencies, management and the Board of Directors of the Organization, and is not intended to be and should not be used by anyone other than these specified parties.



**POWELL AND JONES, CPAs**  
**March 3, 2021**

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

Board of Directors

Citrus, Levy, Marion Regional Workforce Development Board, Inc.

Ocala, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities and major fund of Citrus, Levy, Marion Regional Workforce Development Board, Inc. (the Organization) as of and for the year ended June 30, 2020, and the related notes to the financial statements, which collectively comprise the Organization's basic financial statements, and have issued our report thereon dated March 3, 2021.

**Internal Control Over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Organization's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Organization's internal control. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

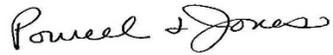
Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

**Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Organization's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

**Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Organization's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in cursive script that reads "Powell & Jones".

**POWELL & JONES, CPAs**  
**March 3, 2021**

**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM  
AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE**

Board of Directors

Citrus, Levy, Marion Regional Workforce Development Board, Inc.  
Ocala, Florida

**Report on Compliance for Each Major Federal Program**

We have audited the compliance of Citrus, Levy, Marion Regional Workforce Development Board, Inc. (the Organization) with the types of compliance requirements described in the *OMB Circular Compliance Supplement* that could have a direct and material effect on each of the Organization's major federal programs for the year ended June 30, 2020. The Organization's major federal programs are identified in the summary of auditor's results section of the accompanying Schedule of Findings and Questioned Costs.

**Management's Responsibility**

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

**Auditors' Responsibility**

Our responsibility is to express an opinion on compliance for each of the Organization's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Organization's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the Organization's compliance.

**Opinion on Each Major Federal Program**

In our opinion, the Organization complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2020.

## Report on Internal Control over Compliance

Management of the Organization is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Organization's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine our auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that were not identified.

### Concluding Matters

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



**POWELL & JONES, CPAs**  
**March 3, 2021**

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**  
**SCHEDULE OF FINDINGS**  
**For the Fiscal Year Ended June 30, 2020**

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**SECTION I - SUMMARY OF AUDITOR'S RESULTS**

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**Financial Statements**

Type of auditor's report issued:	Unmodified
Internal control over financial reporting	
● Material weakness(es) identified?	No
● Significant deficiencies identified not considered to be material weaknesses?	No
Noncompliance material to financial statements noted?	No

**Federal Awards**

Internal control over major programs:	
● Material weakness(es) identified?	No
● Significant deficiencies identified not considered to be material weaknesses?	None reported
Type of auditor's report issued on compliance for major programs:	Unmodified
Any audit findings disclosed that are required to be reported in accordance with 2CFR 200.516(a)	No

Identification of major programs:

<u>CFDA Number/Grant Number</u>	<u>Name of Program or Cluster</u>
10.561	<b>U.S. Department of Agriculture Supplemental Nutrition Assistance Program</b>
17.207	<b>U.S. Department of Labor Employment Services Cluster</b>
17.207	Wagner Peysner
17.801	Disabled Veterans Outreach Program
17.804	Local Veterans Employment Representative
17.274	<b>Youthbuild</b>
93.558	<b>U.S. Department of Health and Human Services Welfare Transition</b>

Dollar threshold used to distinguish between Type A and Type B programs:	\$750,000
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Auditee qualified as low-risk auditee?	Yes
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(Continued)

**CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**  
**SCHEDULE OF FINDINGS**  
For the Fiscal Year Ended June 30, 2020  
(Continued)

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**SECTION II - FINANCIAL STATEMENT FINDINGS**

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None

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**SECTION III - FEDERAL AWARD FINDINGS AND QUESTIONED COSTS**

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None

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**SECTION IV - SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS**

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None

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**SECTION V - OTHER**

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None



**Powell & Jones**  
Certified Public Accountants

Richard C. Powell, Jr., CPA  
Marian Jones Powell, CPA

1359 S.W. Main Blvd.  
Lake City, Florida 32025  
386 / 755-4200  
Fax: 386 / 719-5504  
admin@powellandjonescpa.com

## **Communication with Those Charged with Governance**

March 3, 2021

To the Board of Directors

Citrus, Levy, Marion Regional Workforce Development Board, Inc.

We have audited the financial statements of Citrus, Levy, Marion Regional Workforce Development Board, Inc. for the year ended June 30, 2020. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing of our audit. Professional standards also require that we communicate to you the following information related to our audit.

### **Significant Audit Findings**

#### ***Qualitative Aspects of Accounting Practices***

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by Citrus, Levy, Marion Regional Workforce Development Board, Inc. are described Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2020. We noted no transactions entered into by the Organization during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. There are no sensitive estimates affecting Citrus, Levy, Marion Regional Workforce Development Board, Inc.'s financial statements.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. There are no sensitive disclosures affecting the financial statements.

#### ***Difficulties Encountered in Performing the Audit***

We encountered no significant difficulties in dealing with management in performing and completing our audit.

#### ***Corrected and Uncorrected Misstatements***

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. There were no such misstatements identified during our audit.

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### *Disagreements with Management*

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

### *Management Representations*

We have requested certain representations from management that are included in the management representation letter dated March 3, 2021.

### *Management Consultations with Other Independent Accountants*

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Organization's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

### *Other Audit Findings or Issues*

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Organization's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

### Other Information in Documents Containing Audited Financial Statements

With respect to the supplementary information accompanying the financial statements, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the Audit Committee, Board of Directors and management of Citrus, Levy, Marion Regional Workforce Development Board, Inc. and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,



Powell and Jones, CPAs  
March 3, 2021

## INDEPENDENT ACCOUNTANT'S REPORT

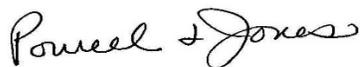
To the Governing Board  
Citrus, Levy, Marion Regional Workforce Development Board Inc.

We have examined Citrus, Levy, Marion Regional Workforce Development Board Inc.'s compliance with Section 218.415, *Florida Statutes*, regarding the investment of public funds during the year ended June 30, 2020. Management is responsible for Citrus, Levy, Marion Regional Workforce Development Board Inc.'s compliance with those requirements. Our responsibility is to express an opinion on the Organization's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Organization complied, in all material respects, with the requirements referenced above. An examination involves performing procedures to obtain evidence about whether the Organization complied with the specific requirements. The nature, timing and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion. Our examination does not provide a legal determination on the Organization's compliance with specified requirements.

In our opinion, the Organization complied, in all material respects, with the aforementioned requirements for the year ended June 30, 2020.

This report is intended solely for the information and use of the Organization and the Auditor General, State of Florida, and is not intended to be and should not be used by anyone other than these specified parties.



**POWELL & JONES**  
Certified Public Accountants  
March 3, 2021



## CareerSource Citrus Levy Marion Performance Overview

Daniel Harper, *Department of Economic Opportunity*

March 24, 2021

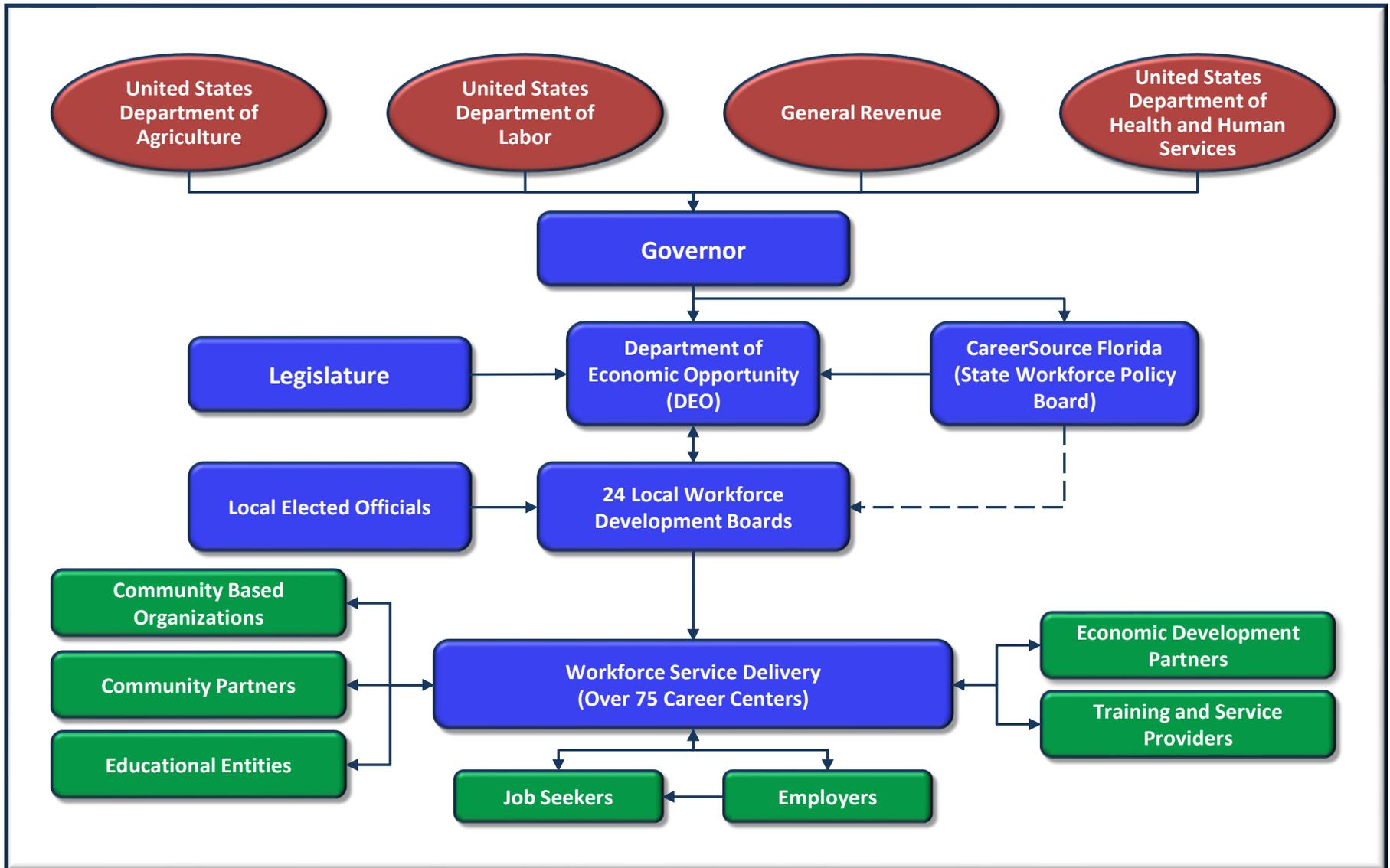


# AGENDA

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- Program Year 2019 Primary Indicators of Performance
- Programmatic and Financial Monitoring Activity
- Local Area Financial Overview

# FLORIDA'S WORKFORCE SYSTEM



# PRIMARY INDICATORS OF PERFORMANCE

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- WIOA establishes performance indicators and reporting requirements to assess the state's and local area's effectiveness in serving individuals participating in the workforce development system.
- Indicators consist of:
  - ✓ 4 Adult Indicators
  - ✓ 4 Dislocated Worker Indicators
  - ✓ 3 Youth Indicators
  - ✓ 3 Wagner-Peyser Indicators

# WIOA PRIMARY INDICATORS OF PERFORMANCE

LWDB 10 Program Year (PY) 2019 July 1, 2019 – June 30, 2020	PY 2019 Actual Performance	PY 2019 Performance Targets	PY 2019 Achievement Level	PY 2020 Performance Targets
<b>Adults:</b>				
Employed 2 <sup>nd</sup> Quarter After Exit	92.40%	85.20%	108.45%	85.20%
Employed 4 <sup>th</sup> Quarter After Exit	92.70%	82.50%	112.36%	83.00%
Median Wage 2 <sup>nd</sup> Quarter After Exit	\$6,807.00	\$6,850.00	99.37%	\$7,000.00
Credential Attainment	85.70%	88.00%	97.39%	88.00%
<b>Dislocated Workers:</b>				
Employed 2 <sup>nd</sup> Quarter After Exit	100.00%	83.20%	120.19%	83.20%
Employed 4 <sup>th</sup> Quarter After Exit	100.00%	76.00%	131.58%	79.00%
Median Wage 2 <sup>nd</sup> Quarter After Exit	\$10,710.00	\$6,850.00	156.35%	\$7,000.00
Credential Attainment	75.00%	75.20%	99.73%	75.20%
<b>Youth Common Measures:</b>				
Education and Employment Rate 2 <sup>nd</sup> Quarter After Exit	83.30%	75.50%	110.33%	75.50%
Education and Employment Rate 4 <sup>th</sup> Quarter After Exit	77.20%	69.20%	111.56%	73.00%
Credential Attainment	98.60%	85.30%	115.59%	85.30%
<b>Wagner-Peyser:</b>				
Employed 2 <sup>nd</sup> Quarter After Exit	73.70%	62.20%	118.49%	65.00%
Employed 4 <sup>th</sup> Quarter After Exit	72.00%	64.20%	112.15%	64.20%
Median Wage 2 <sup>nd</sup> Quarter After Exit	\$5,478.00	\$4,850.00	112.95%	\$5,000.00

Not Met (less than 90% of target)
Met (90-100% of negotiated)
Exceeded (greater than 100% of negotiated)

# STATE MONITORING ACTIVITY

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- Federal law requires the state to develop an oversight system to monitor all workforce programs receiving federal funds.
- DEO annually develops and implements a process for monitoring LWDBs.
- Programmatic and financial monitoring was conducted concurrently.
- Corrective Action Plans to address all findings are required.

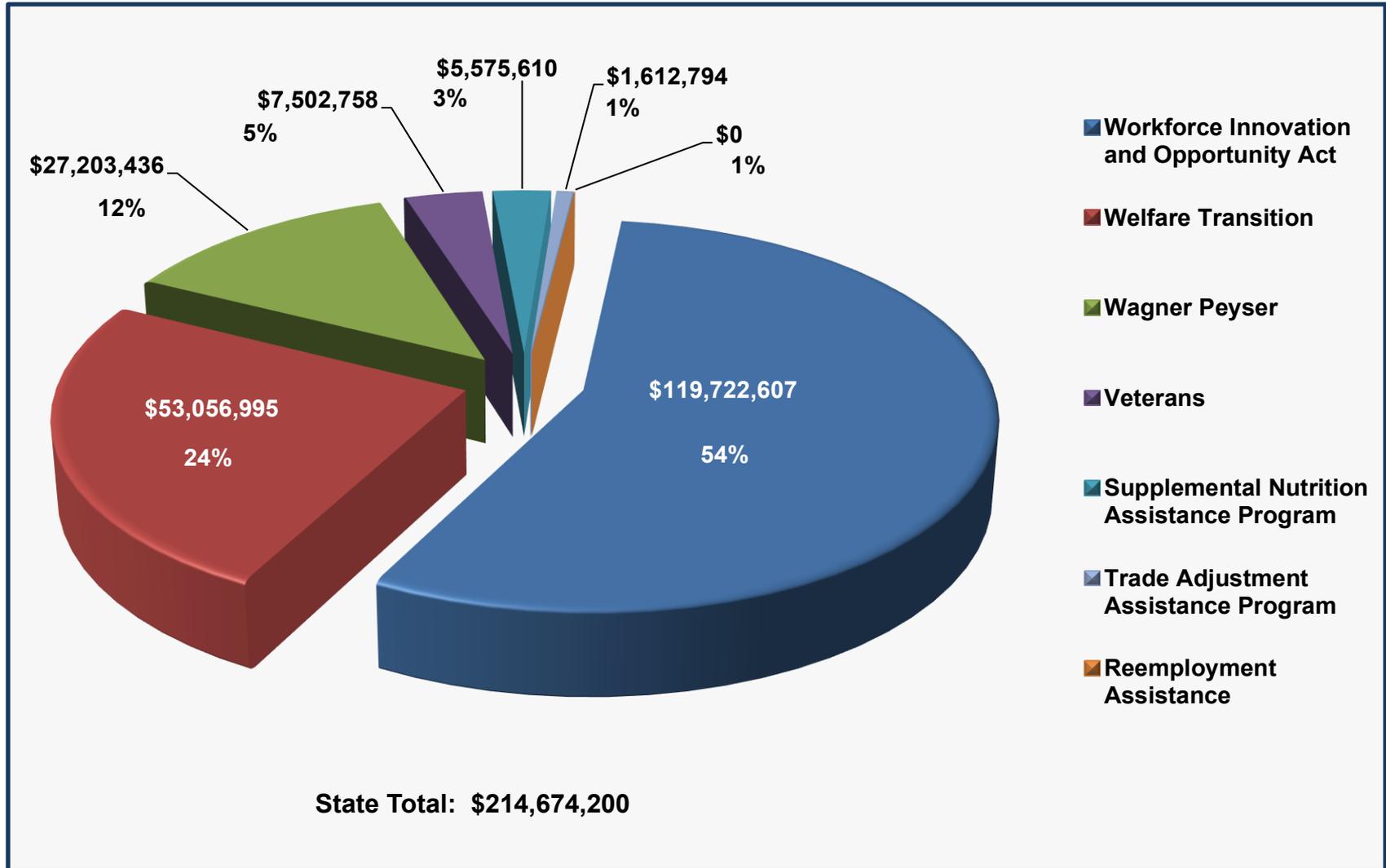
# PROGRAM YEAR 2019 SUMMARY OF LOCAL FINDINGS

<b>Program</b>	<b>PY 2018 Findings</b>	<b>PY 2019 Findings</b>
<b>Welfare Transition</b>	4	1
<b>Wagner-Peyser (RESEA, MSFW, Career Center Credentialing, MIS)</b>	1	2
<b>Supplemental Nutrition Assistance Program - Employment and Training</b>	2	1
<b>WIOA Adult / Dislocated Worker / Youth</b>	1	1
<b>Trade Adjustment Assistance Act</b>	0	0
<b>Total Findings</b>	8	5

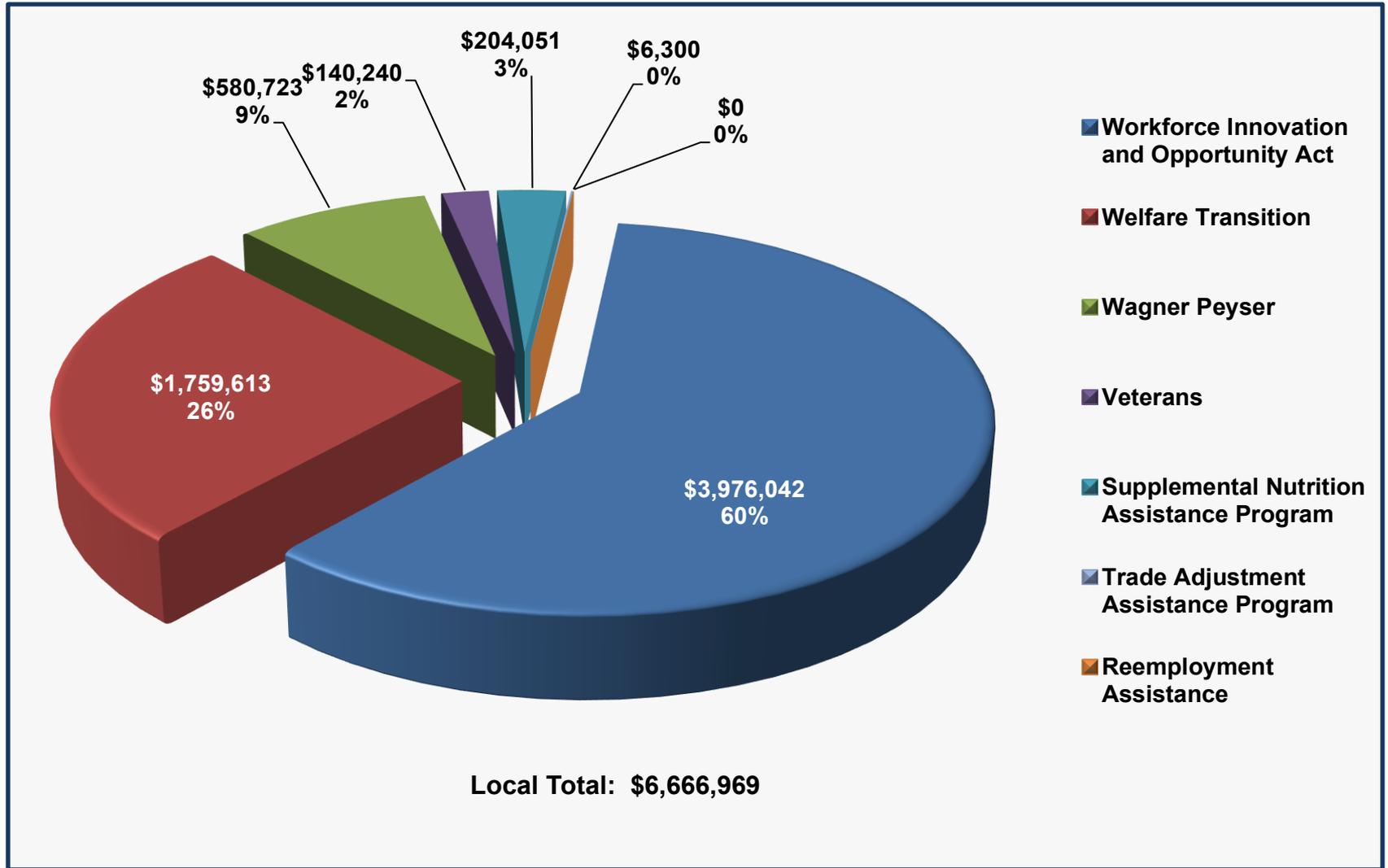
# FISCAL YEAR 2019-20 SUMMARY OF THE RESULTS OF FINANCIAL MONITORING

<b>CATEGORIES</b>	<b>RESULTS</b>
<b>Findings</b>	None
<b>Issues of Non-Compliance</b>	None
<b>Observations</b>	2
<b>Technical Assistance</b>	None

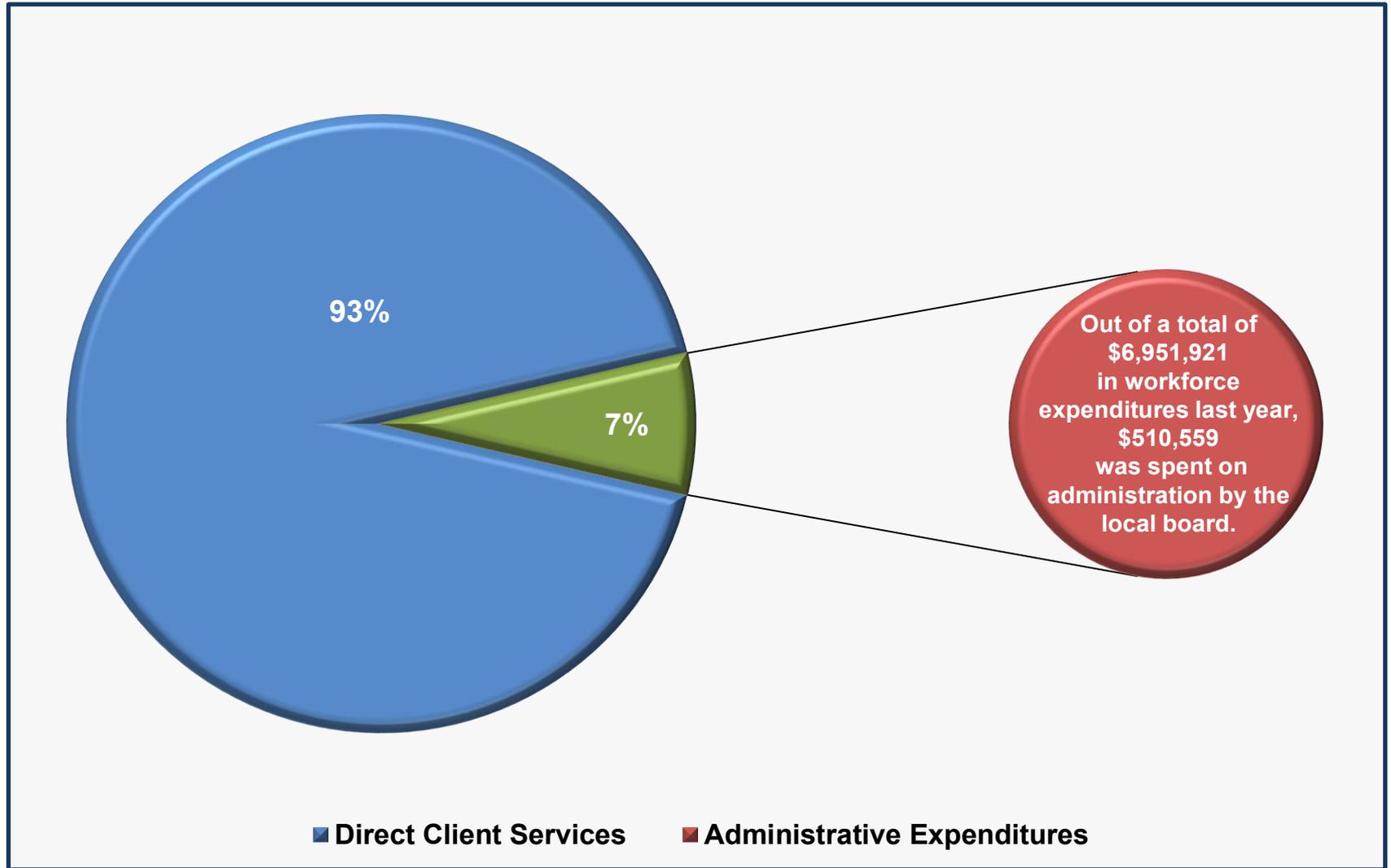
# PROGRAM YEAR 2020 TOTAL STATEWIDE FUNDING



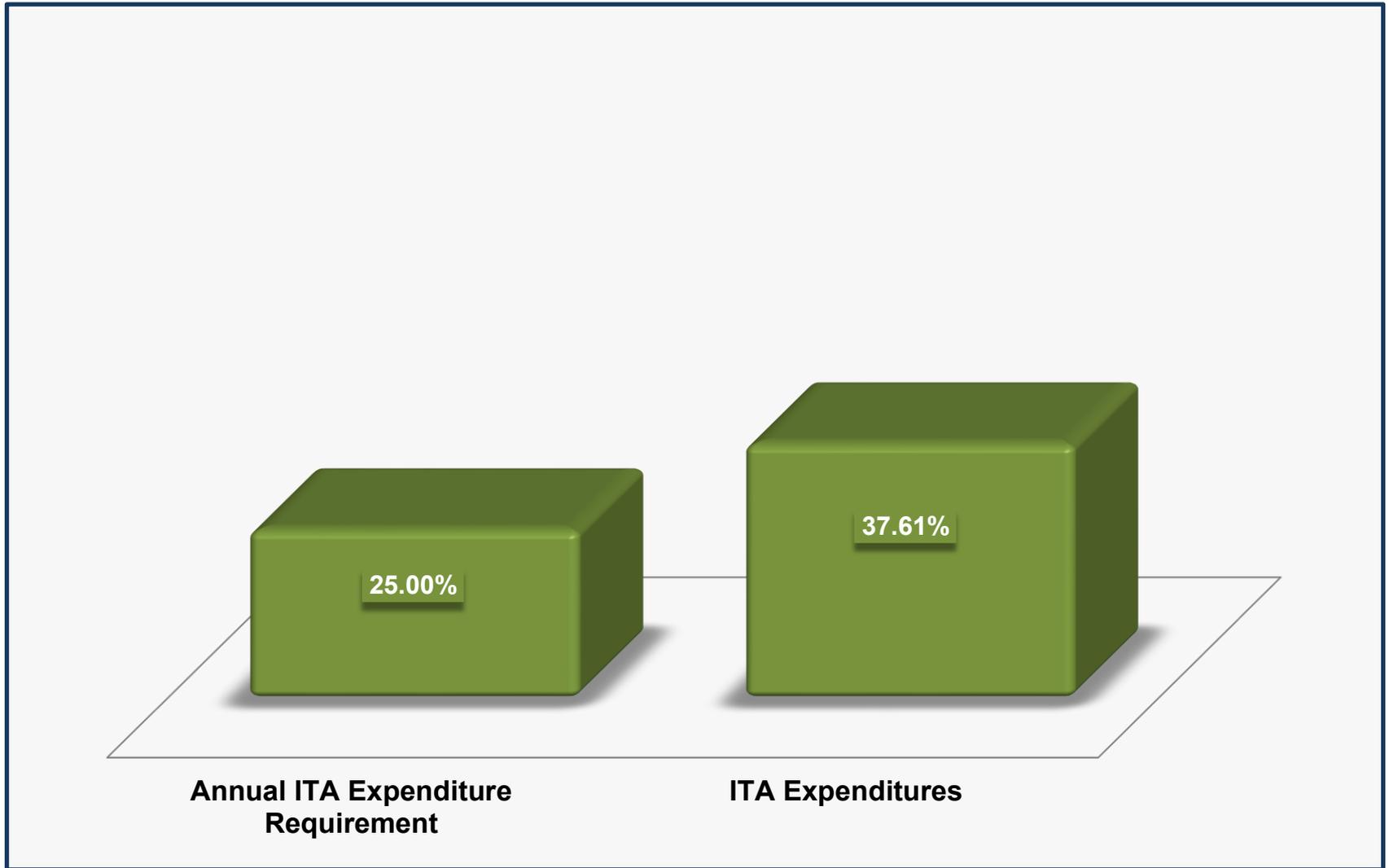
# PROGRAM YEAR 2020 TOTAL LOCAL AMOUNT



# PROGRAM YEAR 2019 DIRECT CLIENT SERVICES & ADMINISTRATIVE EXPENDITURES

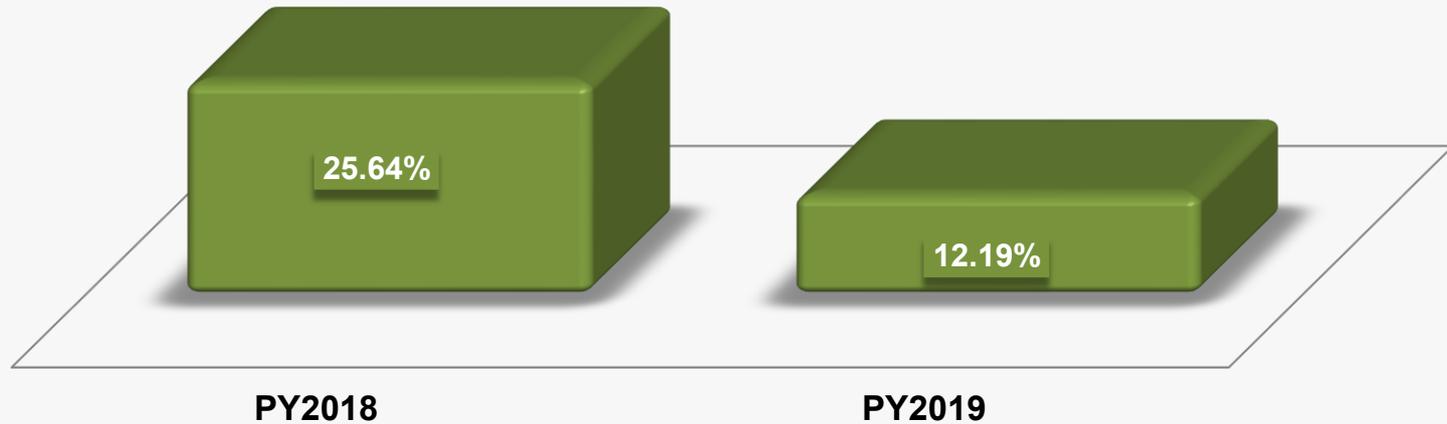


# PROGRAM YEAR 2019 INDIVIDUAL TRAINING ACCOUNT EXPENDITURE REQUIREMENT

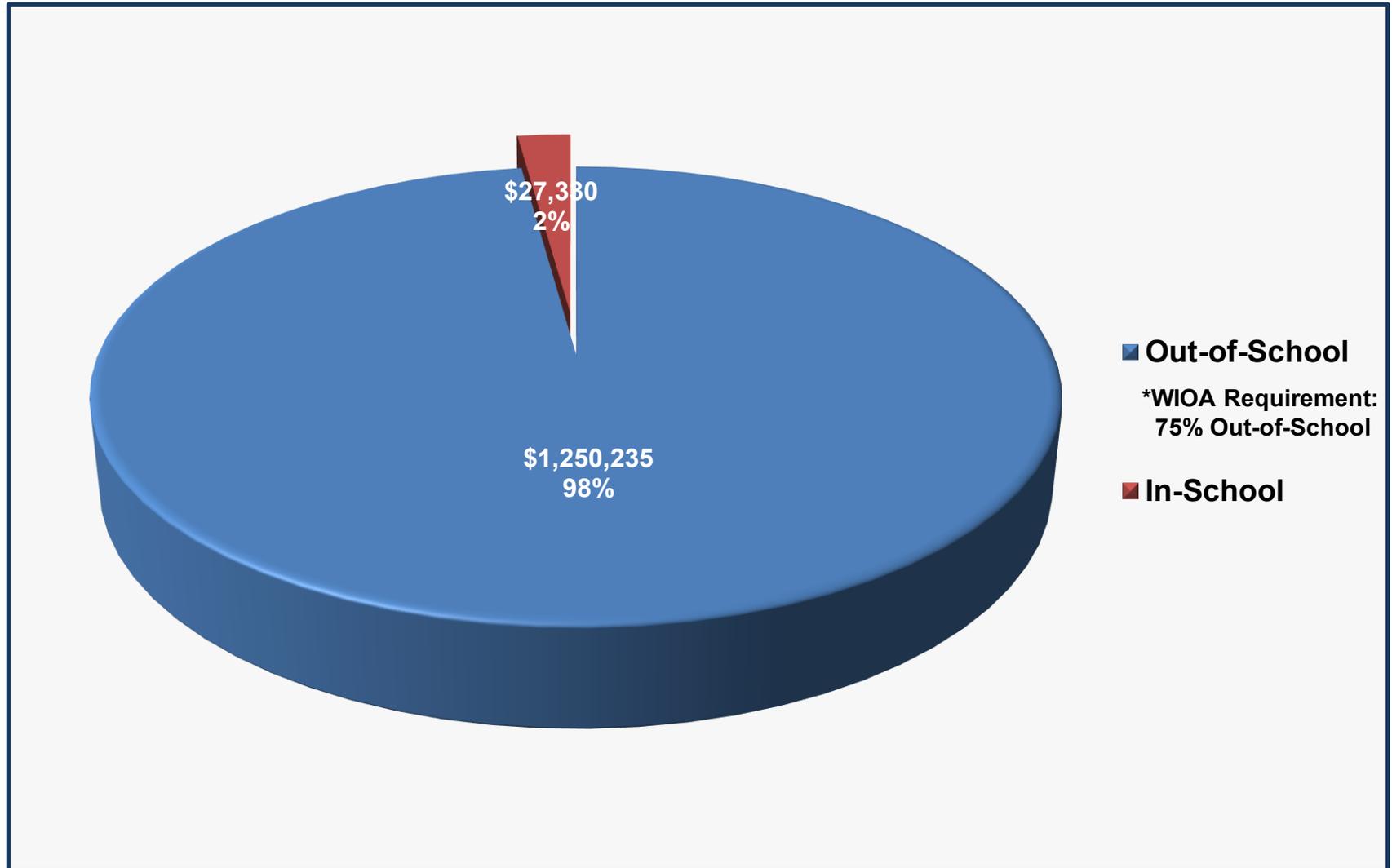


# PROGRAM YEAR 2018 & 2019 WIOA WORK EXPERIENCE REQUIREMENT

**\*WIOA Requirement:  
20% Work Experience**



# PROGRAM YEAR 2019 PERCENTAGE OF EXPENDITURES ON OUT-OF-SCHOOL YOUTH



# QUESTIONS

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# ADDITIONAL INFORMATION

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**For more information, please contact:**

Charles Williams

Florida Department of Economic Opportunity

One-Stop and Program Support

(850) 245-7424

[Charles.Williams@DEO.MyFlorida.com](mailto:Charles.Williams@DEO.MyFlorida.com)



**POLICY  
NUMBER  
110**

## **Administrative Policy**

<b>Title:</b>	Local Workforce Development Area and Board Governance
<b>Program:</b>	Workforce Innovation and Opportunity Act
<b>Effective:</b>	03/04/2021

### **I. PURPOSE AND SCOPE**

The purpose of this policy is to provide guidance to Chief Local Elected Official (CLEOs), Fiscal Agents, Local Workforce Development Boards (LWDBs), LWDB Chairpersons, LWDB Executive Directors, LWDB staff, and workforce system partners on the requirements for local workforce development area (“local area”) and LWDB governance. This policy outlines key roles, responsibilities, and requirements of the entities/individuals that make up the workforce development system within a local area.

This policy also identifies and describes required agreements to ensure the local area serves as a jurisdiction for the administration of workforce development activities and expenditure of Workforce Innovation and Opportunity Act (WIOA) adult, dislocated worker, and youth funds allocated to LWDBs by the state.

### **II. BACKGROUND**

WIOA envisions a workforce development system that focuses on the needs of job seekers and businesses; and, anticipates and responds to the needs of local and regional economies.

WIOA requires LWDBs and CLEOs to design and govern the system regionally, align workforce policies and services with regional economies and support service delivery strategies tailored to those needs. The local area serves as a jurisdiction for the administration of workforce development activities which requires the CLEO to play

an active role in both the strategic planning and ongoing operation of the local system. Agreements between the CLEO and the entities responsible for the local workforce development system will address how the local area functions and how administrative tasks will be carried out within the local area.

### III. AUTHORITY

[Public Law 113-128, Workforce Innovation and Opportunity Act](#), Sections 106 and 107

[20 Code of Federal Regulations 679.310](#)

[20 Code of Federal Regulations 679.320](#)

[20 Code of Federal Regulations 679.370](#)

[Sections 445.004 and 445.007, F.S.](#)

[Chapter 119, F. S.](#)

[Chapter 286, F.S.](#)

[CSF Strategic Policy 2020.02.20.A.1 – Board Governance and Leadership](#)

[CSF Strategic Policy 2018.09.26.A.1 – Ethics and Transparency Policy](#)

### IV. POLICIES AND PROCEDURES

#### A. Roles and Responsibilities

##### 1. Chief Local Elected Official (CLEO)

Pursuant to WIOA sec. 3(9), the CLEO is the chief elected executive officer of a unit of general local government in a local area and, in a case in which a local area includes more than one unit of general local government, the representative(s) under the agreement (interlocal, consortium, and other agreements as described in **Section IV.E.1.** of this policy) that specifies the respective roles.

The CLEOs responsibilities include:

- a) Requesting local area designation (as prescribed in [Administrative Policy 94 – Local Workforce Development Area Designation](#));
- b) Appointing members to the LWDB;
- c) Requesting LWDB certification (as prescribed in [Administrative Policy 091 – Local Workforce Development Board Composition and Certification](#));
- d) In coordination with the local board, establishing bylaws;
- e) Designating a fiscal agent (if not serving as grant recipient);

- f) Remaining liable for any misuse of WIOA grant funds by the local area;
- g) In coordination with the local board and/or staff to the board, negotiating and reaching agreement on LWDB local performance measures with the state;
- h) Negotiating with the LWDB and required partners to maintain the workforce delivery system through the Memorandum of Understanding (as prescribed in [Administrative Policy 106 - Memorandums of Understanding and Infrastructure Funding Agreements](#)); and
- i) Partnering with the LWDB and planning region, if appropriate, to develop and submit the WIOA local plan and regional plan.

The CLEO may delegate the listed administrative functions except:

- a) Appointment of members to the LWDB.
- b) Designation of a fiscal agent (designation of a fiscal agent does not relieve the CLEO or Governor of liability for misuse of grant funds – [20 CFR 679.420](#)).

The CLEO may remove a member of the LWDB, the executive director of the LWDB, or the designated person responsible for the operational and administrative function of the LWDB for cause.<sup>1</sup>

## 2. Fiscal Agent

The fiscal agent is the entity designated by the CLEO to perform accounting and funds management on behalf of the CLEO. The duties of the fiscal agent may include but are not limited to:

- a) Receiving funds;
- b) Ensuring sustained fiscal integrity and accountability for expenditures of funds in accordance with Office of Management and Budget (OMB) circulars, WIOA, corresponding federal regulations, state law, and state policies;
- c) Responding to audit financial findings;
- d) Maintaining proper accounting records and documentation;
- e) Preparing financial reports; and,
- f) Providing technical assistance to sub-recipients regarding fiscal issues.

Although the appropriate role of the fiscal agent should be limited to accounting and funds management functions rather than policy or service delivery, there may be circumstances in which the fiscal agent may be the LWDB, the procured one-stop operator or the workforce services provider and/or youth service provider.

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<sup>1</sup> Section 445.007(2)(c)

At the direction of the LWDB, the fiscal agent may have the following additional functions:

- a) Procure contracts or obtain written agreements;
- b) Conduct financial monitoring of service providers; and
- c) Ensure an independent audit is conducted of all employment and training programs.

### **3. Local Workforce Development Board**

The LWDB is appointed by the CLEO in each local area in accordance with state criteria established under WIOA sec. 107(b) and certified by the Governor every two years in accordance with WIOA sec. 107(c)(2). The state's criteria for LWDB certification is found in [Administrative Policy 091 – Local Workforce Development Board Composition and Certification](#).

The LWDB provides strategic and operational oversight, assists in achievement of the state's strategic and operational vision and goals, and maximizes and continues to improve quality of services, customer satisfaction, and effectiveness of services provided. LWDB responsibilities include, but are not limited to:

- a) Developing and submitting local and, if applicable, regional plans;
- b) Conducting workforce research and regional labor market analysis;
- c) Convening local workforce development system stakeholders to assist in the development of the local plan and identify expertise and resources to leverage support for workforce development activities;
- d) Leading efforts to engage a diverse range of employers and other entities in the region;
- e) Leading efforts to develop and implement career pathways;
- f) Leading efforts in the local area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers, workers, and jobseekers;
- g) Conducting oversight of the WIOA adult, dislocated worker, and youth programs and the entire workforce delivery system, ensure the appropriate use and management of WIOA funds, and ensure the appropriate use, management, and investment of funds to maximize performance outcomes;
- h) Negotiating and reaching agreement on local performance measures with the CLEO and the state;
- i) In partnership with the CLEO, establishing bylaws and codes of conduct for LWDB members, LWDB executive director and staff to the LWDB; and;
- j) Establishing additional monitoring and reporting requirements if one entity fulfills multiple functions to ensure the entity is compliant with WIOA, final rules and regulations, OMB circulars, and the state's conflict of interest policy.

A full list of LWDB functions can be found in WIOA sec. 107(d) and [20 CFR 679.370](#).

#### **4. Local Workforce Development Board Chairperson**

The LWDB chairperson is elected by the members of the LWDB and must be one of the business representatives on the board. The LWDB chairperson shall serve a term of no more than two years and shall serve no more than two terms. At a minimum, the state will review the LWDB chairperson's term requirements during the LWDB's certification process as described in [Administrative Policy 091 – Local Workforce Development Board Composition and Certification](#). The Department of Economic Opportunity (DEO) will review each LWDB's composition during its annual programmatic monitoring, which may include a review of the LWDB chairperson's term(s).

The LWDB chairperson's duties may include but are not limited to:

- a) Leading the board to develop a guiding vision that aligns with the state's priorities;
- b) Acting as the lead strategic convener to promote and broker effective relationships between CLEOs and economic development, education, and workforce partners in the local area;
- c) Leading an executive committee to guide the work of the board, and ensure that committees or task forces have necessary leadership and membership to perform the work of the board; and
- d) Leading the agenda setting process for the year and guide meetings to ensure both tactical and strategic work is completed in all meetings.

#### **5. Local Workforce Development Board Executive Director**

The LWDB may hire a qualified executive director and staff to assist in ensuring the functions of the local board are achieved. The LWDB must ensure the individual or entity designated as the executive director has the requisite knowledge, skills, and abilities to meet identified benchmarks and to assist in effectively and ethically carrying out the functions of the LWDB which may include, but is not limited to:

- a) Coordinating with the CLEOs regarding the identification and nomination of members to the LWDB and ensuring membership is compliant with WIOA and Florida Statutes;
- b) Organizing board meetings and ensuring meetings are held according to the LWDB's bylaws and Florida's sunshine laws;
- c) Developing and submitting the local and regional workforce development plan;

- d) Conducting oversight of the WIOA adult, dislocated worker, youth programs and the entire one-stop delivery system, including development of policies and monitoring the administration of the programs;
- e) Negotiating and reaching agreement on local performance measures;
- f) Negotiating with CLEO and required partners for the Memorandum of Understanding (as prescribed in [Administrative Policy 106 - Memorandums of Understanding and Infrastructure Funding Agreements](#));
- g) In compliance with local board procurement policy, provide oversight of the competitive procurement process for procuring or awarding contracts for providers of youth program services, providers of workforce services (if applicable), and the one-stop operator as required in paragraph (I) of 20 CFR 679.370;
- h) Developing a budget for activities of the LWDBs; and
- i) Certifying the one-stop career centers. One-stop certification requirements may be found in [Administrative Policy 93 – One-Stop Career Center Certification Requirements](#)

## **B. One Entity Performing Multiple Functions**

WIOA establishes clear roles and responsibilities for each entity or organization involved in the workforce delivery system. The LWDB should make every effort to ensure that roles and duties of workforce delivery system entities are clearly delineated. This includes efforts to designate or procure the functions of the fiscal agent, staff to the LWDB, one-stop operator, direct provider of workforce services, and provider of youth program services.

One entity may perform multiple functions if appropriate firewalls and internal controls are in place. Local entities or organizations often function simultaneously in a variety of roles, including fiscal agent, board staff, one-stop operator, provider of career services, and provider of youth services. **See Section IV.B.3.** of this policy for agreement requirements for one entity (not LWDBs) performing multiple functions.

**See Section IV. C. 1.** for requirements for LWDBs serving multiple functions.

## **C. Local Workforce Development Boards as Direct Providers of Workforce Services**

Ideally, entities providing workforce services are procured through the LWDB, which is responsible for monitoring and overseeing the contracts, as well as services performed through the contract. The LWDB is designed to oversee the workforce delivery system and its services. Chapter 445.007(6), F.S. allows LWDBs to be designated as the one-stop operator and direct provider of services (except training

services), with the agreement of the CLEO and governor based on the criteria established by the state workforce development board.

LWDBs seeking to provide workforce services, except training services, will follow the requirements established in [Administrative Policy 083 – Direct Provider of Workforce Services](#).

Before a LWDB may be designated as the one-stop operator, LWDBs must still follow criteria established in [Administrative Policy 097 – One-Stop Operator Procurement](#).

### **1. Local Workforce Development Boards Serving Multiple Functions**

LWDBs serving multiple functions must be able to demonstrate that roles, responsibilities and duties of each function are clearly defined and delineated in locally established processes and procedures that clearly detail:

- a) How functions are sufficiently separated;
- b) Descriptions of the steps the local area has taken to mitigate risks that could lead to impropriety;
- c) Firewalls (physical, technological, policies, etc.) created to ensure such risks are mitigated; and
- d) Oversight and monitoring procedures.

These processes and procedures must be included in the LWDB's WIOA Local Plan.

### **D. Temporary Assumption of Duties for Procured and Contracted Services**

While LWDBs may provide workforce services and assume the role of one-stop operator, many LWDBs procure and contract with providers for these services. In certain critical circumstances, (e.g., sudden termination of contract or failed procurement), the local board may be faced with needing to temporarily assume the role(s) of one-stop operator, direct provider of workforce and/or youth program services. When this happens, LWDBs may request to temporarily assume the responsibilities that were being provided by a contracted vendor or services being sought when the procurement failed. Requests for boards to act as a one-stop operator and provider of workforce and/or youth program services on a time-limited basis must be approved by the CLEO and submitted to DEO. The request must include the duration for which the board will act as a one-stop operator and provider of services. DEO will make a recommendation to the state workforce development board.

## 1. Sudden Termination of Contract

If the circumstance arises that the LWDB or LWDB staff needs to temporarily serve in multiple roles due to sudden (unexpected) termination of a contract, a new competitive solicitation must be reissued timely. A new entity must assume the applicable role on or before the end of the temporary designation.

In the event of a sudden termination of contract, the LWDB must submit a formal request to serve in the capacity of the role in which the contract was terminated.

The LWDB will:

- a) Submit a request to serve in the role in which the contract was terminated;
- b) Provide documentation of the original contract and the termination notification, which should include the reason for termination;
- c) Provide an explanation and an organizational chart showing who will be responsible for assuming the role(s) temporarily. The explanation and organizational chart must clearly illustrate how the following will be enforced to minimize potential risks associated with the temporary designation.
  1. Separation of duties; (including but not limited to the temporary removal of duties from certain areas/individuals to allow assumption of the temporary role);
  2. Firewalls; (including but not limited to restriction from access to any information that may lead to impropriety); and
  3. Conflict of interest requirements.
- d) The length of time in which the LWDB seeks to temporarily serve in the role in which the contract was terminated, not to exceed one year from the date of request.

LWDBs will submit formal requests for temporary designation to CareerSource Florida and DEO via email at [LWDBGovernance@deo.myflorida.com](mailto:LWDBGovernance@deo.myflorida.com).

## 2. Failed Procurement

If the circumstance arises that the LWDB or LWDB staff needs to serve in multiple roles due to failed procurement, the LWDB will:

- a) Submit, in writing, the request to serve in the role sought through the failed procurement and provide the following:
  1. A copy of the competitive solicitation;
  2. Proof of the announcement medium used (e.g., newspaper, social media, website, email notification to potential bidders), including documentation showing how long the announcement was posted; and
  3. The length of time the LWDB seeks to temporarily serve in the role.
- b) An explanation and an organizational chart showing who will temporarily be responsible for assuming the role(s). The explanation and organizational chart will clearly illustrate how the following will be enforced to minimize potential risks associated with the temporary designation.
  1. Separation of duties; (including but not limited to the temporary removal of duties from certain areas/individuals to allow assumption of the temporary role);
  2. Firewalls; (including but not limited to restriction from access to any information that may lead to impropriety); and
  3. Conflict of interest requirements.
- c) The LWDB will review the previously issued competitive solicitation and identify any elements that led to the failed procurement (e.g., unrealistic compensation for requested services, duties outside the scope of the role for which services are being sought);
- d) Update and reissue the competitive solicitation (within one month of being granted temporary authority to serve in the role in which the procurement was not successful);
- e) Once an entity is selected, notify DEO of the selection upon final approval by the LWDB; and
- f) Onboard the selected entity of the new solicitation on or before the end of the temporary designation.

The individual or entity contracted to fulfill the role of the LWDB executive director **must not** be the one-stop operator or the provider of workforce and/or youth program services.

Formal requests for temporary designation will be sent to CareerSource Florida and DEO via email at [LWDBGovernance@deo.myflorida.com](mailto:LWDBGovernance@deo.myflorida.com).

### 3. Local Workforce Development Area Multi-Function Agreement

For circumstances in which an entity or organization, other than the local workforce development board, has been selected or otherwise designated to perform more than one function, the required contract or written agreement must include a clause to clarify how the entity will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations, relevant OMB circulars, and the state's conflict of interest policy. The written clause in the contract or agreement must include, at a minimum, the following requirements:

- a) Definition of roles and responsibilities/duties per function (e.g., fiscal agent, one-stop operator, and/or procured provider of workforce or youth program services);
- b) Description of the separation of staff duties under each role, including deliverables for each separate function;
- c) Description of how budget authority is separated, including separate line item budgets for each function; and
- d) Description of how staff duties will be completed while demonstrating compliance with WIOA and corresponding regulations, OMB circulars, and the state's conflict of interest policy, including how conflict of interest will be minimized;
- e) Description of the roles and responsibilities within the organization, including an organizational chart, and sustainability if a function is removed; and
- f) Description of how fiscal monitoring will occur if the fiscal agent is performing multiple functions.

The written clauses in the agreement are intended to limit conflicts of interest or the appearance of conflicts of interest, minimize fiscal risk, and develop appropriate firewalls within a single entity performing multiple functions.

### E. Governance Agreements

Implementation of a local workforce development system pursuant to WIOA requires that the CLEOs play an active role in both strategic planning and ongoing operation of the local system. When a local area includes more than one unit of general local government, the chief elected officials of such units may execute a written agreement that specifies the respective roles and liability of the individual chief elected officials. Chief local elected officials are liable in their official capacity but not personally liable for the misuse of WIOA funds.

## 1. Interlocal, Consortium and Other Agreements

The purpose of having interlocal, consortium or other governing agreements is to ensure the decisions that are delegated to CLEO(s), or a consortium, reflect the agreement of all the chief elected officials in all jurisdictions of a local area and consistent with requirements established in s 163.01, F.S. These agreements are between the chief elected officials of each jurisdiction within the local area and must contain signatures of the representative(s) authorized to enter into such agreements.

The interlocal or consortium agreement will clearly state the level of agreement to be reached amongst the governmental entities involved and identify the roles and responsibilities of the CLEOs within the local area. At a minimum, applicable agreements will address:

- a) **Identification of local workforce development area** - The agreement will clearly identify the units of local government which are covered by the agreement and which make up the local area.
- b) **Designation and responsibilities of the CLEO** - The parties to the interlocal agreement should identify the county commissioners and/or mayors to serve as the CLEO(s) of the local area for the purposes of approving local and, if appropriate, regional plans; establishing policy; authorizing WIOA expenditures; establishing contracts; paying for services outside of the local area; or paying costs associated with monitoring or audit findings or sanctions.

Areas where a consortium is serving in the capacity to perform the duties and functions of the CLEO will describe the duties/responsibilities of the consortium, members that make up the consortium, and the authority of its members in an agreement signed by the applicable elected officials or their authorized designee.

- c) **Establishment, appointment, and operation of the LWDB** - The agreement should include an agreed upon process for establishing and appointing the LWDB members, including:
  1. Membership of the LWDB that is consistent with WIOA and state guidance; and
  2. How the needs of all geographical areas in all jurisdictions will be represented within the local area.

- d) **Designation and responsibilities of the fiscal agent** - The fiscal agent is the entity designated to perform accounting and funds management on behalf of the CLEO. The agreement will identify the entity performing these duties.
- e) **Process for CLEOs to provide input** - The agreement will include a process for all CLEOs to provide input for the purposes of reaching a consensus on critical decisions that may impact the local workforce development system.
- f) **Liability** - Under WIOA, CLEOs are liable for misspent funds, disallowed costs, funds spent fraudulently, and potential sanctions for nonperformance. Therefore, it is recommended that CLEOs within a local area agree on how liability will be addressed. The following questions can be used to guide such discussions:
1. How will sanctions related to performance be shared among the jurisdictions within the local area?
  2. How will the issue of disallowed costs or misspent funds that cannot be covered by federal grant funds be addressed?
- g) **Performance Accountability** – Generally, performance accountability is addressed in the WIOA local plan. However, CLEOs should agree on an approach to performance accountability. The following questions may be used to guide such discussions:
1. Who will be responsible for negotiating local performance measures with the state (the Executive Director / staff to the board, local board)?
  2. Will the local area have any performance criteria in addition to federal and state criteria? How will performance be administratively tracked locally?
  3. Will performance-related incentives be shared among the jurisdictions within the local area?
- h) **Dispute Resolution Process** - The governing agreement should include provisions for resolving disputes. Below are possible issues to address in the agreement relative to dispute resolution:
1. What types of disputes arise to the level of needing a dispute resolution process?
  2. What type of dispute resolution process should be used (mediation, arbitration, consultation with state, etc.)?

i) **Other Agreement Provisions (Miscellaneous)**

1. Duration of the agreement; and
2. Process for modification or termination of agreement.

**2. Bylaws**

Bylaws are the provisions by which the local area is governed and the LWDB and its operations are managed. They provide consistency and clarification on the roles and responsibilities of the various representatives governing the local workforce development system. The LWDB must ensure that its bylaws are up-to-date and in alignment with requirements of WIOA and state policy. At a minimum, the following should be reflected in the local area's bylaws.

- a) **Purpose and Responsibilities (Functions)** – Describe the purpose of the LWDB (e.g. to set policy and establish oversight of the workforce development system). Describe the functions or the responsibilities of the LWDB (e.g. the local board has the responsibility to provide strategic and operational oversight, assists in achievement of the State's strategic and operational vision and goals, and maximizes and continues to improve quality of services, customer satisfaction, and effectiveness of services provided). A list of the board's responsibilities can be found in **Section IV.A.3.** of this policy.
- b) **Membership** – Include the processes and procedures for the following:
  1. Recruiting, nominating, vetting and appointing board members;
  2. Filling LWDB member vacancies; and
  3. Resignation, reasons for disqualification, removal, and reappointment of board members.

Board membership and composition requirements can be found in [Administrative Policy 091 - Local Workforce Development Board Composition and Certification.](#)

- c) **Authority of LWBD** – Include the power and authorities of the LWDB, including authority to recommend, select, and hire an Executive Director to perform operational and administrative functions of the board
- d) **Duties of the Members** – Describe the duties and term limits of the board members.

- e) **Officers** – Describe the authority of its officers, including terms of office, and board officer duties.
- f) **Committees** – Describe the types of committees (e.g. executive committee, finance committee, nominating committee, etc.) as well as their authorities, responsibilities, terms of committee members and chairpersons, who has the authority to appoint committee members, and who may sit on the committee. The LWDB will prohibit any LWDB staff from serving as members of a committee or subcommittee.
- g) **Meetings and Minutes**– Describe frequency of meetings and describe how regular board and committee meetings are planned and conducted. The LWDB will also describe the process and requirements for calling special and emergency meetings, what constitutes an emergency meeting or special meeting, and who is authorized to call such meetings. This includes but is not limited to the requirement to provide the schedule to the board members and the public.
  - 1. **Record Keeping** – The LWDB will describe how meeting minutes will be scribed/recorded, retain records of board members who are present/absent, and record official acts of the board including the number of votes of members (yeas, nays, and abstentions). Meeting minutes must be made available publicly on the LWDB’s website.
  - 2. **Voting, Board Actions, and Conflict of Interest** – Include voting and quorum requirements, record official acts of the board including the number of votes of members (yeas, nays, and abstentions). Abstentions due to conflict of interest must be recorded, include the name of the abstaining member, and the reason for abstention.

Strategic Policy [2012.05.24.A.2 - State and Local Workforce Development Board Contracting Conflict of Interest Policy](#) provides guidelines for approving contracts in which a conflict of interest may exist.

LWDBs must adhere to requirements in the Grantee-Subgrantee Agreement for board member conflicts of interest disclosures and applicable requirements. This includes but is not limited to the requirement to adopt and abide by a conflict of interest policy that ensures compliance with state and federal law, regulations and policies.

LWDB members and staff must maintain integrity, accountability and transparency in decisions and actions that earn and protect the public trust in compliance with

[Strategic Policy 2018.09.26.A.1 - Ethics and Transparency Policy](#). This includes taking all necessary steps to avoid the appearance of conflicts of interest.

The LWDB is subject to open government and confidentiality requirements in Chapters 119 and 286, Florida Statutes (F.S).<sup>2</sup>

While it is preferable that the elements outlined in **Section IV. E.** of this policy be contained in comprehensive documents as described, it is acceptable that the items identified in this section be contained in separate agreements (memoranda of understanding, governing policies and procedures, etc.), as long as the requirements of this section are clearly met.

## **F. New Board Member Orientation and Annual Training**

Members appointed to the LWDB are required to participate in orientation and annual training to ensure they understand the purpose of their participation on the LWDB. The purpose of orientation and training is to provide LWDB members with information that empowers them to effectively serve as a board member. The LWDB is expected to take all reasonable steps necessary to encourage attendance by the CLEO at board member orientation and training.

### **1. New LWDB Member Orientation**

All new board members, within six months of appointment, will complete a new board member orientation. The board shall develop board member orientation for board members, which will cover at a minimum:

- a) Overview of WIOA;
- b) Overview of the workforce development system and structure;
- c) The state's workforce development system goals and strategies;
- d) The purpose of the LWDB;
- e) LWDB composition, including required members and areas of representation;
- f) Roles and responsibilities of the CLEO, fiscal agent, LWDB, LWDB chairperson, and LWDB executive director and staff;
- g) Required partners and programs;
- h) How the workforce system is funded;
- i) Performance requirements;
- j) Sunshine law requirements; and

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<sup>2</sup> The LWDB is subject to Chapters 119 and 286, F.S. The LWDB is responsible for responding to public records requests and subpoenas. The LWDB is responsible for ensuring that its staff and agents have a working knowledge of Chapter 119, F.S. The LWDB agrees to appoint a public records coordinator for the purpose of ensuring that all public records matters are handled appropriately.

- k) Conflict of interest policy and disclosure of potential conflicts of interest.

## 2. Annual Training Requirements

Board members will complete an annual refresher training to remind them of the purpose of their appointment as a member to the LWDB. The annual training will include at a minimum:

- a) The state's workforce development goals and strategies;
- b) The purpose of the LWDB;
- c) Roles and responsibilities of the CLEO, fiscal agent, LWDB, LWDB chairperson, and LWDB executive director and staff;
- d) How the workforce system is funded;
- e) Performance requirements;
- f) Sunshine law requirements; and
- g) Conflict of interest policy.

New member orientation and refresher training may be offered in-person and/or virtually at the local area's discretion. The LWDB must retain and, provide to DEO upon request, attendance records of participants and the dates of completion. New board members completing the board member orientation are not required to complete the annual refresher training in the same year they become a new member.

## G. State and Local Monitoring

At the local level, the LWDB must conduct oversight of the procurement process and resulting contracts and agreements to ensure all aspects of written agreements and contracts are compliant with federal and state laws and regulations. Additionally, the LWDB must also ensure that governing agreements are upheld. In instances where the LWDB is also the one-stop operator, the LWDB must follow the monitoring requirements outlined in [Administrative Policy 97 – One-Stop Operator Procurement](#). The LWDB must monitor compliance with this policy.

DEO will perform programmatic and fiscal monitoring and will review the local area's agreements and contracts during the annual monitoring review for compliance with federal and state laws and regulations. Findings and other noncompliance issues will be handled through the state's monitoring resolution process.

## V. DEFINITIONS

1. **Chief Local Elected Official (CLEO) (CEO in WIOA sec. 3(9)) –**

- a) A chief elected executive officer of a unit of general local government in a local area; and
  - b) In a case in which a local area includes more than one unit of general local government, the individuals designated under the agreement described in Section 107(c)(1)(B).
2. **Governance Agreements (i.e. Interlocal, Consortium, and other governing agreements)** are written agreements designed to ensure that decisions to CLEO(s), or a consortium, reflect the agreement of all the chief elected officials in all jurisdictions of a local area. Including, how the local board is governed, roles and responsibilities of members, liabilities, etc.
  3. **Local Workforce Development Area (LWDA)** is a geographical area that serves as the jurisdiction for the administration of workforce development activities and has been granted such designation by meeting criteria as prescribed in [Administrative Policy 94 – Local Workforce Development Designation](#).
  4. **Fiscal Agent** is the entity designated to perform accounting and funds management on behalf of the CLEO.
  5. **Board Chairperson** is a business representative among the board members who is elected by the board.
  6. **Local Workforce Development Board** is a board established under WIOA sec. 107, to set policy for the local workforce development system.
  7. **Executive Director** is an individual hired or designated by the LWDB to perform the operational and administrative functions of the board.
  8. **Cause** includes but is not limited to, engaging in fraud or other criminal acts, incapacity, unfitness, neglect of duty, official incompetence or irresponsibility, misfeasance, malfeasance, nonfeasance, or lack of performance.

**VI. REVISION HISTORY**

Date	Description
03/04/2021	Issued by the Florida Department of Economic Opportunity.
02/18/2021	Approved by CareerSource Florida Board of Directors.

**VII. RESOURCES**

[WIOA Fact Sheet: Governance and Leadership](#)

## **Staff Comments on House Bill 1505**

### **Overview**

This Bill requires DOE, DCF and DEO to establish a “consumer-first workforce system.”

### **Comments**

A system that ties together educational institutions, public assistance and workforce board services would be a major system improvement for our customers and, at the same time, create many new challenges and costs for those administering programs in these agencies. While speculative because the system is conceptual, it would appear that each agency would have to have special devoted staff for each program to keep abreast of eligibility issues.

There are also many privacy and other legal restrictions about sharing personal information and services obtained that will have to be addressed, some at the state level, but most federal.

1 A bill to be entitled

2 An act relating to workforce programs and services;  
3 amending s. 445.011, F.S.; establishing an automated  
4 consumer-first workforce system; requiring the  
5 Department of Education and the Department of Children  
6 and Families, in consultation with the Department of  
7 Economic Opportunity, to implement such system;  
8 requiring that such system improve coordination among  
9 specified partners; revising requirements for such  
10 system; requiring that certain contracts be  
11 performance based; requiring the Department of  
12 Economic Opportunity to develop training for specified  
13 partners; amending s. 446.021, F.S.; revising a  
14 definition; amending s. 446.032, F.S.; requiring  
15 certain standards and policies established by the  
16 Department of Education to include a specified  
17 requirement for training providers; requiring, rather  
18 than authorizing, the department to adopt rules;  
19 revising provisions relating to a certain summary of  
20 expenditures for apprenticeship and preapprenticeship  
21 programs; providing requirements for a certain annual  
22 report; requiring the department to provide data from  
23 certain resources to specified persons and entities;  
24 amending s. 446.041, F.S.; revising a catchline  
25 relating to the department's duties regarding

26 apprenticeship and preapprenticeship programs;  
27 creating s. 446.090, F.S.; providing a definition for  
28 the term "work-based learning opportunity"; specifying  
29 the required criteria for such opportunity; requiring  
30 that such opportunity prioritizes paid experiences;  
31 requiring the State Board of Education to adopt rules;  
32 amending s. 1003.4156, F.S.; requiring a career and  
33 education planning course to include certain  
34 resources; amending s. 1003.42, F.S.; requiring a  
35 specified character development curriculum to include  
36 certain instruction and resources; creating s.  
37 1006.75, F.S.; requiring specified educational centers  
38 and institutions to ensure that certain services and  
39 resources prepare students for employment; requiring  
40 student career service centers to use specified  
41 resources to assist students with certain activities;  
42 amending s. 1007.25, F.S.; requiring specified  
43 students to complete certain courses before a certain  
44 degree is awarded; requiring the chairs of the State  
45 Board of Education and the Board of Governors, or  
46 their designees, to jointly appoint faculty committees  
47 to identify competencies which will result in a  
48 digital credential; requiring specified institutions  
49 to grant and accept such credential; requiring the  
50 department to identify certain courses in which such

51 credential may be earned; requiring certain courses to  
52 use specified resources and provide students with the  
53 opportunity to create a digital resume; amending ss.  
54 443.151, 445.010, and 445.045, F.S.; conforming  
55 provisions to changes made by the act; amending ss.  
56 943.22 and 1001.64, F.S.; conforming cross-references;  
57 providing an effective date.  
58

59 Be It Enacted by the Legislature of the State of Florida:  
60

61 Section 1. Section 445.011, Florida Statutes, is amended,  
62 to read:

63 445.011 Consumer-first workforce system information  
64 ~~systems.~~-

65 (1) The department, in consultation with the state board,  
66 the Department of Education, and the Department of Children and  
67 Families, shall implement, subject to legislative appropriation,  
68 an automated consumer-first workforce system that improves  
69 coordination among required one-stop partners and is information  
70 ~~systems that are~~ necessary for the efficient and effective  
71 operation and management of the workforce development system.  
72 This system ~~These information systems~~ shall include, but need  
73 not be limited to, the following:

74 (a) An integrated management system for the one-stop  
75 service delivery system, which includes, at a minimum, common

76 registration and intake for required one-stop partners,  
77 screening for needs and benefits, case management ~~planning and~~  
78 ~~tracking,~~ training benefits management, service and training  
79 provider management, performance reporting, executive  
80 information and reporting, and customer-satisfaction tracking  
81 and reporting.

82 1. The system should report current budgeting,  
83 expenditure, and performance information for assessing  
84 performance related to outcomes, service delivery, and financial  
85 administration for workforce programs pursuant to s. 445.004(5)  
86 and (9).

87 2. The ~~information~~ system should include auditable systems  
88 and controls to ensure financial integrity and valid and  
89 reliable performance information.

90 3. The system should support service integration and case  
91 management across programs and agencies by providing for case  
92 tracking for participants in workforce programs, participants  
93 who receive benefits pursuant to public assistance programs  
94 under chapter 414, and participants in welfare transition  
95 programs under this chapter.

96 (b) An automated job-matching information system that is  
97 accessible to employers, job seekers, and other users via the  
98 Internet, and that includes, at a minimum:

99 1. Skill match information, including skill gap analysis;  
100 resume creation; job order creation; skill tests; job search by

101 area, employer type, and employer name; and training provider  
102 linkage;

103 2. Job market information based on surveys, including  
104 local, state, regional, national, and international occupational  
105 and job availability information; and

106 3. Service provider information, including education and  
107 training providers, child care facilities and related  
108 information, health and social service agencies, and other  
109 providers of services that would be useful to job seekers.

110 (2) The department may procure independent verification  
111 and validation services associated with developing and  
112 implementing the consumer-first ~~any~~ workforce ~~information~~  
113 system.

114 (3) The department shall coordinate development and  
115 implementation of the consumer-first workforce system  
116 ~~information systems~~ with the state chief information officer to  
117 ensure compatibility with the state's information system  
118 strategy and enterprise architecture.

119 (4) Any contract entered into or renewed on or after July  
120 1, 2021, for the purpose of implementing this section must be  
121 performance based.

122 (5) The department shall develop training for required  
123 one-stop partners on the use of the consumer-first workforce  
124 system and how to prequalify individuals for workforce programs.

125 Section 2. Subsection (8) of section 446.021, Florida

126 Statutes, is amended to read:

127 446.021 Definitions of terms used in ss. 446.011-446.092.-

128 As used in ss. 446.011-446.092, the term:

129 (8) "Uniform minimum ~~preapprenticeship~~ standards" means  
130 the minimum requirements established uniformly for each  
131 occupation ~~craft~~ under which an apprenticeship or a  
132 preapprenticeship program is administered or a work-based  
133 learning opportunity is provided. The term ~~and~~ includes  
134 standards of admission, training goals, training objectives,  
135 curriculum outlines, objective standards to measure successful  
136 completion of the apprenticeship or preapprenticeship program or  
137 work-based learning opportunity, and the percentage of credit  
138 which may be given to an apprentice or a preapprentice or work-  
139 based learning student ~~preapprenticeship graduates upon~~  
140 acceptance into the apprenticeship program.

141 Section 3. Subsection (1), paragraphs (b) and (f) of  
142 subsection (2), and subsection (3) of section 446.032, Florida  
143 Statutes, are amended, and paragraphs (g) and (h) are added to  
144 subsection (2) of that section, to read:

145 446.032 General duties of the department for  
146 apprenticeship training.-The department shall:

147 (1) Establish uniform minimum standards and policies  
148 governing apprenticeship and preapprenticeship apprentice  
149 programs and agreements which must require training providers to  
150 submit data necessary to determine program performance

151 consistent with state and federal law. The standards and  
152 policies shall govern the terms and conditions of the  
153 apprentice's employment and training, including the quality  
154 training of the apprentice for, but not limited to, such matters  
155 as ratios of apprentices to journeyworkers, safety, related  
156 instruction, and on-the-job training; but these standards and  
157 policies may not include rules, standards, or guidelines that  
158 require the use of apprentices and job trainees on state,  
159 county, or municipal contracts. The department shall ~~may~~ adopt  
160 rules necessary to administer the standards and policies.

161 (2) By September 1 of each year, publish an annual report  
162 on apprenticeship and preapprenticeship programs. The report  
163 must be published on the department's website and, at a minimum,  
164 include all of the following:

165 (b) A detailed summary of each local educational agency's  
166 expenditure of funds for apprenticeship and preapprenticeship  
167 programs, including:

168 1. The total amount of funds received for apprenticeship  
169 and preapprenticeship programs;

170 2. The total amount of funds allocated by training  
171 provider, program, and ~~to each trade or~~ occupation;

172 3. The total amount of funds expended for administrative  
173 costs by training provider, program, and ~~per trade or~~  
174 occupation; and

175 4. The total amount of funds expended for instructional

176 costs by training provider, program, per trade and occupation.

177 (f) Documentation of activities conducted by the  
178 department to promote apprenticeship and preapprenticeship  
179 programs through public engagement, community-based  
180 partnerships, and other initiatives and the outcomes of such  
181 activities and their impact on establishing or expanding  
182 apprenticeship and preapprenticeship programs.

183 (g) Retention and completion rates of participants  
184 disaggregated by training provider, program, and occupation.

185 (h) Wage progression of participants as demonstrated by  
186 starting, exit, and postapprenticeship wages.

187 (3) Provide assistance to district school boards, Florida  
188 College System institution boards of trustees, program sponsors,  
189 and local workforce development boards in notifying students,  
190 parents, and members of the community of the availability of  
191 apprenticeship and preapprenticeship opportunities, including  
192 data provided in the economic security report under ~~pursuant to~~  
193 s. 445.07 and other state career planning resources.

194 Section 4. Section 446.041, Florida Statutes, is amended  
195 to read:

196 446.041 ~~Apprenticeship program,~~ Duties of the department.-  
197 The department shall:

198 (1) Administer ss. 446.011-446.092.

199 (2) Administer the standards established by the  
200 department.

201           (3) Register in accordance with this chapter any  
202 apprenticeship or preapprenticeship program, regardless of  
203 affiliation, which meets standards established by the  
204 department.

205           (4) Investigate complaints concerning the failure of any  
206 registered program to meet the standards established by the  
207 department.

208           (5) Cancel the registration of any program that fails to  
209 comply with the standards and policies of the department or that  
210 unreasonably fails or refuses to cooperate with the department  
211 in monitoring and enforcing compliance with the standards.

212           (6) Develop and encourage apprenticeship programs.

213           (7) Lead and coordinate outreach efforts to educate  
214 veterans about apprenticeship and career opportunities.

215           (8) Cooperate with and assist local apprenticeship  
216 sponsors in the development of their apprenticeship standards  
217 and training requirements.

218           (9) Encourage registered apprenticeship programs to grant  
219 consideration and credit to individuals completing registered  
220 preapprenticeship programs.

221           (10) Monitor registered apprenticeship programs to ensure  
222 that they are being operated in compliance with all applicable  
223 standards.

224           (11) Supervise all apprenticeship programs that are  
225 registered with the department.

226 (12) Ensure that minority and gender diversity are  
227 considered in administering this program.

228 (13) Adopt rules required to administer ss. 446.011-  
229 446.092.

230 Section 5. Section 446.090, Florida Statutes, is created  
231 to read:

232 446.090 Work-based learning opportunities.-

233 (1) As used in this section, the term "work-based learning  
234 opportunity" means an interaction with industry or community  
235 professionals that occurs in a workplace setting, to the extent  
236 possible, or a simulated environment at an educational  
237 institution that allows firsthand experience with tasks that are  
238 aligned to the institution's curriculum.

239 (2) A work-based learning opportunity must meet all of the  
240 following criteria:

241 (a) Be developmentally appropriate.

242 (b) Identify learning objectives for the term of  
243 experience.

244 (c) Explore multiple aspects of an industry.

245 (d) Develop workplace skills and competencies.

246 (e) Assess performance.

247 (f) Provide opportunities for work-based reflection.

248 (g) Link to next steps in career planning and preparation  
249 in a student's chosen career pathway.

250 (h) Be provided in an equal and fair manner.

251 (i) Be documented and reported in compliance with state  
252 and federal labor laws.

253  
254 A work-based learning opportunity, including an apprenticeship  
255 and a preapprenticeship, must, to the extent possible,  
256 prioritize paid experiences.

257 (3) The State Board of Education shall adopt rules to  
258 implement this section which must include uniform minimum  
259 standards and guidelines for determining student eligibility,  
260 obligations of employers, and requirements of institutions that  
261 offer work-based learning opportunities.

262 Section 6. Paragraph (e) of subsection (1) of section  
263 1003.4156, Florida Statutes, is amended to read:

264 1003.4156 General requirements for middle grades  
265 promotion.—

266 (1) In order for a student to be promoted to high school  
267 from a school that includes middle grades 6, 7, and 8, the  
268 student must successfully complete the following courses:

269 (e) One course in career and education planning to be  
270 completed in grades 6, 7, or 8, which may be taught by any  
271 member of the instructional staff. The course must be Internet-  
272 based, customizable to each student, and include research-based  
273 assessments to assist students in determining educational and  
274 career options and goals. In addition, the course must result in  
275 a completed personalized academic and career plan for the

276 student that may be revised as the student progresses through  
277 middle school and high school; must emphasize the importance of  
278 entrepreneurship and employability skills; and must include  
279 information from the Department of Economic Opportunity's  
280 economic security report under s. 445.07 and other state career  
281 planning resources. The required personalized academic and  
282 career plan must inform students of high school graduation  
283 requirements, including a detailed explanation of the  
284 requirements for earning a high school diploma designation under  
285 s. 1003.4285; the requirements for each scholarship in the  
286 Florida Bright Futures Scholarship Program; state university and  
287 Florida College System institution admission requirements;  
288 available opportunities to earn college credit in high school,  
289 including Advanced Placement courses; the International  
290 Baccalaureate Program; the Advanced International Certificate of  
291 Education Program; dual enrollment, including career dual  
292 enrollment; and career education courses, including career-  
293 themed courses, preapprenticeship and apprenticeship programs,  
294 and course sequences that lead to industry certification  
295 pursuant to s. 1003.492 or s. 1008.44. The course may be  
296 implemented as a stand-alone course or integrated into another  
297 course or courses.

298 Section 7. Paragraph (s) of subsection (2) of section  
299 1003.42, Florida Statutes, is amended to read:

300 1003.42 Required instruction.—

301 (2) Members of the instructional staff of the public  
302 schools, subject to the rules of the State Board of Education  
303 and the district school board, shall teach efficiently and  
304 faithfully, using the books and materials required that meet the  
305 highest standards for professionalism and historical accuracy,  
306 following the prescribed courses of study, and employing  
307 approved methods of instruction, the following:

308 (s) A character development program in the elementary  
309 schools, similar to Character First or Character Counts, which  
310 is secular in nature. Beginning in school year 2004-2005, the  
311 character development program shall be required in kindergarten  
312 through grade 12. Each district school board shall develop or  
313 adopt a curriculum for the character development program that  
314 shall be submitted to the department for approval. The character  
315 development curriculum shall stress the qualities of patriotism;  
316 responsibility; citizenship; kindness; respect for authority,  
317 life, liberty, and personal property; honesty; charity; self-  
318 control; racial, ethnic, and religious tolerance; and  
319 cooperation. The character development curriculum for grades 9  
320 through 12 shall, at a minimum, include instruction on  
321 developing leadership skills, interpersonal skills, organization  
322 skills, and research skills; creating a resume, including a  
323 digital resume; exploring career pathways; using state career  
324 planning resources; developing and practicing the skills  
325 necessary for employment interviews; conflict resolution,

326 workplace ethics, and workplace law; managing stress and  
327 expectations; and developing skills that enable students to  
328 become more resilient and self-motivated.

329  
330 The State Board of Education is encouraged to adopt standards  
331 and pursue assessment of the requirements of this subsection. A  
332 character development program that incorporates the values of  
333 the recipients of the Congressional Medal of Honor and that is  
334 offered as part of a social studies, English Language Arts, or  
335 other schoolwide character building and veteran awareness  
336 initiative meets the requirements of paragraphs (s) and (t).

337 Section 8. Section 1006.75, Florida Statutes, is created  
338 to read:

339 1006.75 Student career services.—

340 (1) Each career center, charter technical center, Florida  
341 College System institution, and state university shall ensure  
342 that their student career service centers and job placement  
343 resources prepare students for employment upon completion of  
344 their academic work.

345 (2) Student career service centers shall, to the extent  
346 possible, use state career planning resources to assist students  
347 with all of the following:

348 (a) Exploring and identifying career opportunities.

349 (b) Identifying in-demand jobs and associated earning  
350 outcomes.

351           (c) Understanding the skills and credentials needed for  
352 specific jobs.

353           (d) Identifying opportunities to gain on-the-job  
354 experiences.

355           (e) Creating a digital resume.

356           Section 9. Subsections (4) through (9) of section 1007.25,  
357 Florida Statutes, are renumbered as subsections (5) through  
358 (10), respectively, present subsections (10) through (12) are  
359 renumbered as subsections (12) through (14), respectively,  
360 present subsections (3) and (5) are amended, and new subsections  
361 (4) and (11) are added to that section, to read:

362           1007.25 General education courses; common prerequisites;  
363 other degree requirements.—

364           (3) The chair of the State Board of Education and the  
365 chair of the Board of Governors, or their designees, shall  
366 jointly appoint faculty committees to identify statewide general  
367 education core course options. General education core course  
368 options shall consist of a maximum of five courses within each  
369 of the subject areas of communication, mathematics, social  
370 sciences, humanities, and natural sciences. The core courses may  
371 be revised, or the five-course maximum within each subject area  
372 may be exceeded, if approved by the State Board of Education and  
373 the Board of Governors, as recommended by the subject area  
374 faculty committee and approved by the Articulation Coordinating  
375 Committee as necessary for a subject area. Each general

376 education core course option must contain high-level academic  
377 and critical thinking skills and common competencies that  
378 students must demonstrate to successfully complete the course.  
379 Beginning with students initially entering a Florida College  
380 System institution or state university in 2015-2016 and  
381 thereafter, each student must complete at least one identified  
382 core course in each subject area as part of the general  
383 education course requirements. Beginning in the 2022-2023  
384 academic year and thereafter, students entering a technical  
385 degree education program as defined in s. 1004.02(13) must  
386 complete at least one identified core course in each subject  
387 area as part of the general education course requirements before  
388 a degree is awarded. All public postsecondary educational  
389 institutions shall accept these courses as meeting general  
390 education core course requirements. The remaining general  
391 education course requirements shall be identified by each  
392 institution and reported to the department by their statewide  
393 course number. The general education core course options shall  
394 be adopted in rule by the State Board of Education and in  
395 regulation by the Board of Governors.

396 (4) The chair of the State Board of Education and the  
397 chair of the Board of Governors, or their designees, shall  
398 jointly appoint faculty committees to identify the competencies  
399 within the general education core courses which demonstrate  
400 career readiness and will result in the award of a verifiable

401 and interoperable nationally recognized digital credential. All  
402 public postsecondary educational institutions shall grant and  
403 accept the identified digital credential. Beginning with  
404 students initially entering a Florida College System institution  
405 or state university in 2022-2023 and thereafter, each student  
406 must be able to distinguish in the institution's or university's  
407 catalog which general education core courses are linked to  
408 earning a digital credential.

409 (6)~~(5)~~ The department shall identify those courses offered  
410 by universities and accepted for credit toward a degree. The  
411 department shall identify courses designated as either general  
412 education or required as a prerequisite for a degree and the  
413 digital credentials that may be earned through the general  
414 education core courses. The courses shall be identified by their  
415 statewide course numbers.

416 (11) Courses that provide instruction in student life  
417 skills, including career planning and exploration, or similar  
418 instruction, and fulfill the requirements for a degree in  
419 subsection (9) or subsection (10) or a degree from a technical  
420 degree education program as defined in s. 1004.02(13), shall use  
421 state career planning resources and provide students with the  
422 opportunity to create a digital resume.

423 Section 10. Paragraph (b) of subsection (2) of section  
424 443.151, Florida Statutes, is amended to read:

425 443.151 Procedure concerning claims.-

426 (2) FILING OF CLAIM INVESTIGATIONS; NOTIFICATION OF  
427 CLAIMANTS AND EMPLOYERS.—

428 (b) Process.—When the Reemployment Assistance Claims and  
429 Benefits Information System described in s. 443.1113 is fully  
430 operational, the process for filing claims must incorporate the  
431 process for registering for work with the consumer-first  
432 workforce system information systems established under pursuant  
433 ~~to~~ s. 445.011. Unless exempted under s. 443.091(1)(b)5., a claim  
434 for benefits may not be processed until the work registration  
435 requirement is satisfied. The department may adopt rules as  
436 necessary to administer the work registration requirement set  
437 forth in this paragraph.

438 Section 11. Section 445.010, Florida Statutes, is amended  
439 to read:

440 445.010 Consumer-first workforce system ~~information~~  
441 technology; principles and information sharing.—

442 (1) The following principles shall guide the development  
443 and management of workforce system ~~information~~ resources:

444 (a) Workforce system entities should be committed to  
445 information sharing.

446 (b) Cooperative planning by workforce system entities is a  
447 prerequisite for the effective development of systems to enable  
448 the sharing of data.

449 (c) Workforce system entities should maximize public  
450 access to data, while complying with legitimate security,

451 privacy, and confidentiality requirements.

452 (d) When the capture of data for the mutual benefit of  
453 workforce system entities can be accomplished, the costs for  
454 capturing, managing, and disseminating those data should be  
455 shared.

456 (e) The redundant capture of data should, insofar as  
457 possible, be eliminated.

458 (f) Only data that are auditable, or that otherwise can be  
459 determined to be accurate, valid, and reliable, should be  
460 maintained in the consumer-first workforce system ~~information~~  
461 ~~systems~~.

462 (g) The design of the consumer-first workforce system  
463 ~~information systems~~ should support technological flexibility for  
464 users without compromising system integration or data integrity,  
465 be based upon open standards, and use platform-independent  
466 technologies to the fullest extent possible.

467 (2) Information that is essential to the integrated  
468 delivery of services through the one-stop delivery system must  
469 be shared between partner agencies within the consumer-first  
470 workforce system to the full extent permitted under state and  
471 federal law. In order to enable the full integration of services  
472 for a specific workforce system customer, that customer must be  
473 offered the opportunity to provide written consent prior to  
474 sharing any information concerning that customer between the  
475 workforce system partners which is subject to confidentiality

476 under state or federal law.

477 Section 12. Subsection (3) of section 445.045, Florida  
478 Statutes, is amended to read:

479 445.045 Development of an Internet-based system for  
480 information technology industry promotion and workforce  
481 recruitment.—

482 (3) CareerSource Florida, Inc., shall ensure that the  
483 website developed and maintained under this section is  
484 consistent, compatible, and coordinated with the consumer-first  
485 workforce system ~~information systems~~ required under s. 445.011,  
486 including, but not limited to, the automated job-matching  
487 information system for employers, job seekers, and other users.

488 Section 13. Paragraph (c) of subsection (1) of section  
489 943.22, Florida Statutes, is amended to read:

490 943.22 Salary incentive program for full-time officers.—

491 (1) For the purpose of this section, the term:

492 (c) "Community college degree or equivalent" means  
493 graduation from an accredited community college or having been  
494 granted a degree pursuant to s. 1007.25(13) ~~s. 1007.25(11)~~ or  
495 successful completion of 60 semester hours or 90 quarter hours  
496 and eligibility to receive an associate degree from an  
497 accredited college, university, or community college.

498 Section 14. Subsection (7) and paragraph (d) of subsection  
499 (8) of section 1001.64, Florida Statutes, are amended to read:

500 1001.64 Florida College System institution boards of

501 trustees; powers and duties.-

502 (7) Each board of trustees has responsibility for:  
503 ensuring that students have access to general education courses  
504 as identified in rule; requiring no more than 60 semester hours  
505 of degree program coursework, including 36 semester hours of  
506 general education coursework, for an associate in arts degree;  
507 notifying students that earned hours in excess of 60 semester  
508 hours may not be accepted by state universities; notifying  
509 students of unique program prerequisites; and ensuring that  
510 degree program coursework beyond general education coursework is  
511 consistent with degree program prerequisite requirements adopted  
512 pursuant to s. 1007.25(7) ~~s. 1007.25(6)~~.

513 (8) Each board of trustees has authority for policies  
514 related to students, enrollment of students, student records,  
515 student activities, financial assistance, and other student  
516 services.

517 (d) Boards of trustees shall identify their general  
518 education curricula pursuant to s. 1007.25(8) ~~s. 1007.25(7)~~.

519 Section 15. This act shall take effect July 1, 2021.

## **Staff Comments on House Bill 1507**

### **Overview**

The Bill offers a number of corrective and clarifying amendments that will have a positive impact on services to our customers as well as systemic improvements to provide more transparency and reforms to the workforce system. It also offers a number of amendments to the State Department of Education's workforce programs and some restructuring of the State's Policy Oversight and Development agencies.

Overall, the Bill provides positive changes(improvements) to our WIOA system

### **Areas of Local Concern:**

While the changes to the State's structure may have some impact on local board functions and management at some point, the thrust of the duties appear to be to focus on streamlining systems; providing oversight to multiple state agencies' workforce efforts and serving as a change agent. Those sections pertaining to education workforce programs will be discussed with some key local institutions and overlapping concerns forward at a later date.

The following concerns reflect a staff review that are believed to have a negative impact on our local system and Board.

#### *Lines 597-617 Eligible Providers:*

An overly strict interpretation may result in approved training being solely focused on occupations that have a larger presence or future economic development goals in the workforce area and not allow training that is essential for maintaining a talent supply for small businesses and historic industry sectors which remain community economic mainstays. Language should also include recognition of small businesses and historic industry sectors and allow local boards the flexibility to include those if approved by the local Board.

While performance metrics are essential, completion rates should be better defined. In some areas, such as welding, students are often hired prior to the completion of the program by employers because they have the requisite skills the employer needs and “completion” is not required for the job. Perhaps linking Completion and employment rate metrics by adding and “or” is a more appropriate metric combination.

Recognition should be given that, because of many factors, residents may use WIOA to train at institutions outside of Florida or training that is provided from out-of-state, online training providers.

*Lines 642-645: 671-694 Credential Review/Credentials of Value*

The relationship of the Credential Review Committee and Master Credentials List should be clarified with CAPE certification. It would appear that, without such clarification, rather than streamlining the process of establishing programs and certifications the process could be made longer and more bureaucratic.

Credentials of Value should include credentials needed in economically important local industries/businesses.

*Lines 883-886 Letter Grades*

The assignment of letter grades for the purpose of continuous improvement is a positive measure. However, if such grading were to be perceived as a need to restructure or reform a local board, it should be noted that WIOA provides specific processes and protections for such a process.

It should also be noted that “success” denoted by a letter grade may have different metric achievement in each workforce area based on the economy and characteristics of that workforce area.

*Lines 993-1013 Waivers*

WIOA provides the Governor the authority, with local elected official concurrence, to restructure the state’s workforce areas based on certain failures in performance and management and allows the state board to assume local roles as a step in a reorganizations process.

The state's system is organized around the state college system "footprint" with workforce areas being comprised of at least one state college area. This allows local boards to work with their K12 partners and state colleges and technical colleges on articulation and career pathways issues.

Additionally, these areas relate to the significant labor markets and their commuting patterns throughout the state.

#### *Lines 1069-1071 Term limitations*

The required termination of service on a local board after any given period is concerning for a number of reasons:

- The myriad of requirements, both programmatic and administrative, for which local elected officials and their local board are responsible to ensure effective program design and proper expenditure of funds, require private sector leadership with "corporate knowledge". This is not gained in one or two years. Members learn through state monitoring reports, attendance at state and national meetings on workforce issues, and, unfortunately, through mistakes made by other boards and partners with the workforce system of the state and nation.
- Local elected officials are charged by WIOA and state law with making appointments of members who represent the business and industry in their community. The appointment of business leaders who hold significant positions within their industry and business is the mandate for the local elected officials and should not be infringed.
- Local boards require over 50% private sector leadership to ensure that the boards are "business-driven". By removing members arbitrarily based on tie, while not establishing a similar standard for the required governmental members, shifts the leadership, through member terms, from business to governmental.
- Filling membership requirements is often a challenge. Many boards that are multi-county balance their private sector members to ensure that each county's business sector has a voice in talent development. For rural areas/counties, the business communities are often represented by long term members.
- Members are required to be appointed for fixed and staggered terms by WIOA. Elected officials routinely review member reappointment based on criteria such as business relevance and member attendance. Local elected officials have opportunities to replace members at term expiration without citing "cause."

The term limit should be removed, and chief elected officials and their boards should be required to review membership based on business relevance and member participation.

### *Lines 1251-1271 Compensation transparency*

IRS Form 990 are generally prepared by the audit firm as part of the local board's required audit.

Compensation data requirements should be aligned with the annual IRS requirements for W-2 reporting to align website information with legal documents submitted to the IRS.

### *Lines 1292-1325 TANF/Welfare Transition*

The performance of workforce programs ability to transition TANF recipients to self-sufficiency is a key goal. However, boards are constricted in performing by the current treatment of "medically-deferred" recipients. Currently approximately 25% of each Board caseload is deferred for medical reasons. Those deferred that have an explicitly defined temporary condition (such as pregnancy) Board have programs in place to assist them. However, those without such conditions, require assistance beyond that of local workforce boards to define an appropriate career path based upon their limitations. These TANF recipients should be referred to Vocational Rehabilitation for a career assessment and support to enable them "work ready" for assistance by the local workforce board and not counted for performance purposes until they are declared "work ready."

### **Areas of Awareness**

The Bill provides a number of changes that our Board and elected officials should recognize. These are generally "tightening" of existing legislative standards or requirements.

### *Office of Reimaging Education and Career Help*

Creates this Office within the Office of the Governor as a system (education , workforce and TANF) coordinator and "change agent."

- Creates a "no-wrong door" strategy
- Cross training of staff

### *Changes name and duties of Workforce Estimating Conference to Labor Market Estimating Conference*

Improves LMI by requiring additional occupational information such as education level and prioritizes high-skill high-wage occupations for the state and regional areas based on shortages.

*Increased Ethics Disclosure requirements*

Throughout the Bill there are numerous requirements that expand public notice for ethics purposes. These include posting expanded key staff compensation information, disclosure of Form 1 filings for a period of three years after filing.

*“For Cause” termination*

This has been expanded to include “Gross Mismanagement.”

*Board member Contracts*

The threshold for “prior approval” by DEO has been lowered to \$10,000 from the current \$25,000.

1 A bill to be entitled

2 An act relating to workforce related programs and  
3 services; creating s. 14.36, F.S.; creating the Office  
4 of Reimagining Education and Career Help Act for  
5 certain purposes; creating the Office of Reimagining  
6 Education and Career Help within the Executive Office  
7 of the Governor for a specified purpose; providing  
8 definitions; providing the duties of the office;  
9 requiring the office to create a specified strategy;  
10 providing requirements for such strategy; requiring  
11 the office to establish a workforce opportunity  
12 portal; providing requirements related to the portal;  
13 requiring a report to the Legislature; amending s.  
14 216.136, F.S.; renaming the Workforce Estimating  
15 Conference as the Labor Market Estimating Conference;  
16 removing requirements of the Workforce Estimating  
17 Conference; providing requirements for the Labor  
18 Market Estimating Conference; amending s. 288.047,  
19 F.S.; requiring participants of the Quick-Response  
20 Training Program to earn at or above minimum wage;  
21 amending s. 445.002, F.S.; revising the definition of  
22 the term "for cause"; amending s. 445.003, F.S.;  
23 revising requirements for Workforce Innovation and  
24 Opportunity Act Title I funds; requiring, rather than  
25 authorizing, the executive director of the state

26 workforce development board to work with the  
27 Department of Economic Opportunity for certain  
28 purposes; providing duties of the department for the  
29 implementation of the federal Workforce Innovation and  
30 Opportunity Act; amending s. 445.004, F.S.; revising  
31 the composition of the state board; requiring the  
32 state board to appoint a Credentials Review Committee  
33 for a specified purpose; providing the composition of  
34 the committee; requiring certain information to be  
35 accessible to the public; providing duties and  
36 requirements of the committee; specifying entities  
37 that can authorize certain expenditures; providing and  
38 revising requirements for the state board in order to  
39 achieve certain purposes; requiring the state board,  
40 in consultation with the department, to submit a  
41 report to the Governor and Legislature; providing and  
42 revising reporting requirements; removing certain  
43 auditing authority of the Auditor General; requiring  
44 local performance accountability measures to be based  
45 on identified local area needs; amending s. 445.006,  
46 F.S.; providing requirements for the state plan for  
47 workforce development; requiring the department to  
48 prepare a federal waiver for specified purposes;  
49 amending s. 445.007, F.S.; requiring certain  
50 information be accessible on the website of a local

51 workforce development board or department; providing  
52 term limits; providing an exception; requiring actions  
53 of the local board to be consistent with federal and  
54 state law; providing requirements for certain  
55 contracts between a local board and certain entities;  
56 providing an exception; requiring the department to  
57 review certain documentation when considering whether  
58 to approve a contract; removing authority for a local  
59 board to review a decision by the department to deny a  
60 contract; requiring a local board to disclose certain  
61 compensation information to the department; amending  
62 s. 445.009, F.S.; requiring a certain final payment  
63 amount to Individual Training Accounts; conforming  
64 provisions to changes made by the act; amending s.  
65 445.033, F.S.; requiring the department and the  
66 Department of Children and Families, rather than the  
67 state board, to measure the performance of certain  
68 workforce related programs; requiring the state board  
69 to consult with local boards; requiring local boards  
70 to provide quarterly reports to the state board with  
71 certain information; requiring, rather than  
72 authorizing, the state board and the department to  
73 share certain information; amending s. 445.038, F.S.;  
74 conforming provisions to changes made by the act;  
75 amending s. 570.07, F.S.; requiring the Department of

76 Agriculture and Consumer Services to submit certain  
77 information to the Credentials Review Committee for  
78 placement on the Master Credentials List, rather than  
79 the CAPE Industry Certification Funding List or CAPE  
80 Postsecondary Industry Certification Funding List;  
81 amending s. 1001.706, F.S.; revising and providing  
82 requirements for the Board of Governors' strategic  
83 plan; removing criteria for the designation of high-  
84 demand programs of emphasis; amending s. 1003.4203,  
85 F.S.; specifying where the Department of Education has  
86 to identify CAPE Digital Tool certificates; removing  
87 the deadline for such identification; removing  
88 specified skills that have to be mastered; authorizing  
89 courses identified in the CAPE Industry Certification  
90 Funding List to articulate for college credit;  
91 removing the course limit; amending s. 1003.491, F.S.;  
92 requiring certain strategic plans to use labor  
93 projections identified by the Labor Market Estimating  
94 Conference; providing and revising the information  
95 that the Commission of Education must review for the  
96 annual review of K-12 and postsecondary career and  
97 technical education offerings; requiring the  
98 Department of Education to adopt rules; amending s.  
99 1003.492, F.S.; providing that industry certification  
100 is achieved when a student receives a credential that

101 is identified on the Master Credentials List;  
102 conforming provisions to changes made by the act;  
103 amending s. 1003.4935, F.S.; conforming provisions to  
104 changes made by the act; amending s. 1004.013, F.S.;  
105 creating the Strategic Efforts to Achieve Self-  
106 Sufficiency consisting of the workforce opportunity  
107 portal, the Open Door Grant Program, and the Money-  
108 Back Guarantee Program; amending s. 1004.015, F.S.;  
109 providing responsibilities of the Florida Talent  
110 Development Council relating to the healthcare  
111 workforce in the state; providing responsibilities of  
112 the Board of Governors and the State Board of  
113 Education; requiring an analysis by a specified date;  
114 specifying data to be provided by such analysis;  
115 amending s. 1008.39, F.S.; conforming provisions to  
116 changes made by the act; amending s. 1008.40, F.S.;  
117 providing requirements for design specifications for  
118 the Workforce Development Information System;  
119 requiring the Department of Education to work with  
120 certain entities to develop certain metrics; providing  
121 requirements for a workforce development metrics  
122 dashboard; amending s. 1008.41, F.S.; conforming  
123 provisions to changes made by the act; amending s.  
124 1008.44, F.S.; removing the CAPE Postsecondary  
125 Industry Certification Funding List; requiring the

126 State Board of Education to annually adopt, based on  
127 recommendations by the Commissioner of Education, the  
128 CAPE Industry Certification Funding List; providing  
129 certificates, certifications, and courses that may be  
130 included on the list; requiring the Commissioner of  
131 Education to conduct certain review and make  
132 recommendations; requiring the recommendations be  
133 provided to the Governor and Legislature by specified  
134 date; requiring the CAPE Industry Certification  
135 Funding List be used to determine certain funding  
136 distributions; conforming provisions to changes made  
137 by the act; creating s. 1009.895, F.S.; creating the  
138 Open Door Grant Program; providing definitions;  
139 providing the purpose of the program; requiring the  
140 Department of Education, upon the availability of  
141 funds, to provide certain grants; providing for the  
142 distribution of the grant to a student and  
143 reimbursement to an institution; prohibiting the  
144 reduction of the grant based on certain financial aid;  
145 providing requirements for the department in  
146 administering the grant program; requiring the  
147 department to report certain information to the State  
148 Board of Education annually; requiring the department  
149 to adopt rules; amending s. 1011.80, F.S.; requiring  
150 approval by the State Board of Education to conduct

151 workforce education programs; requiring the State  
152 Board of Education to establish criteria for the  
153 approval of new workforce education programs;  
154 providing requirements for the criteria; authorizing  
155 the State Board of Education to modify or terminate a  
156 workforce education program; requiring the Credentials  
157 Review Committee to develop a returned-value funding  
158 formula by a specified time; conforming provisions to  
159 changes made by the act; amending s. 1011.801, F.S.;  
160 conforming a provision to changes made by the act;  
161 amending s. 1011.802, F.S.; requiring the Department  
162 of Education to award grants for preapprenticeship  
163 programs, in addition to apprenticeship programs, that  
164 meet certain criteria; requiring the department to  
165 report certain information annually on its website;  
166 requiring the State Board of Education to adopt rules;  
167 creating s. 1011.803, F.S.; creating the Money-Back  
168 Guarantee Program to help individuals achieve self-  
169 sufficiency; requiring each school district and  
170 Florida College System Institution to offer a money-  
171 back guarantee on certain programs by a specified time  
172 and to establish student eligibility criteria;  
173 requiring each school district and Florida College  
174 System institution to notify the State Board of  
175 Education of its program by a specified date;

176 requiring information about the program to be posted  
177 on certain websites; requiring a report to the  
178 Governor and Legislature; amending s. 1011.81, F.S.;  
179 requiring the Credentials Review Committee to develop  
180 a returned-value funding formula by a specified time;  
181 conforming provisions to changes made by the act;  
182 providing an effective date.

183  
184 Be It Enacted by the Legislature of the State of Florida:

185  
186 Section 1. Section 14.36, Florida Statutes, is created to  
187 read:

188 14.36 Reimagining Education and Career Help Act.—The  
189 Reimagining Education and Career Help Act is created to address  
190 the evolving needs of Florida's economy by increasing the level  
191 of collaboration and cooperation among state businesses and  
192 education communities while improving training within and equity  
193 and access to a more integrated workforce and education system  
194 for all Floridians.

195 (1) The Office of Reimagining Education and Career Help is  
196 created in the Executive Office of the Governor to facilitate  
197 alignment and coordination of entities responsible for the  
198 state's workforce development system. The head of the office is  
199 the Director of the Office of Reimagining Education and Career  
200 Help. The Director of the Office of Reimagining Education and

201 Career Help shall be appointed by and shall serve at the  
202 pleasure of the Governor.

203 (2) As used in this section, the term:

204 (a) "Credential" means an apprenticeship certificate,  
205 industry certification, license, advanced technical certificate,  
206 college credit certificate, career certificate, applied  
207 technology diploma, associate in applied science degree,  
208 associate in science degree, bachelors of applied science  
209 degree, and bachelors of science degree.

210 (b) "Office" means the Office of Reimagining Education and  
211 Career Help.

212 (c) "Workforce development system" means the entities and  
213 activities that contribute to the state's talent pipeline system  
214 through education, training, and support services that prepare  
215 individuals for employment or career advancement, and the  
216 entities that are responsible for oversight or conducting those  
217 activities such as CareerSource Florida, Inc., local workforce  
218 development boards, one-stop career centers, the Department of  
219 Economic Opportunity, the Department of Education, and the  
220 Department of Children and Families.

221 (d) "Workforce education region" means areas of the state  
222 identified by the Department of Education, in collaboration with  
223 the Department of Economic Opportunity, to maximize resource  
224 allocation by combining two or more sources of funding to  
225 integrate education and training in order to improve access to

226 credentials of value for participants in adult education  
227 programs.

228 (e) "Workforce related program" means a program operated,  
229 delivered, or enabled, in whole or in part, by a state or local  
230 entity using federal funds or state appropriations to offer  
231 incentives, funding, support, or guidance for any of the  
232 following purposes:

233 1. Job training.

234 2. The attainment of a credential of value identified  
235 pursuant to s. 445.004(4)(h)4.c.

236 3. The attainment of a postsecondary degree or credential.

237 4. The provision of other types of employment assistance.

238 5. Any other program that has, at least in part, the goal  
239 of securing employment or better employment for an individual  
240 and receives federal funds or a state appropriation.

241 (3) The duties of the office are to:

242 (a) Serve as the advisor to the Governor on matters  
243 related to the state's workforce development system.

244 (b) Establish criteria and goals for workforce development  
245 and diversification in the state's workforce development system.

246 (c) Provide strategies to align and improve efficiency in  
247 the state's workforce development system and the delivery of  
248 workforce related programs.

249 (d) Coordinate state and federal workforce related  
250 programs, plans, resources, and activities provided by

251 CareerSource Florida, Inc., the Department of Economic  
252 Opportunity, and the Department of Education.

253 (e) Oversee the Workforce Development Information System  
254 described in s. 1008.40 to verify the validity of data collected  
255 and monitor compliance of workforce related programs and  
256 education and training programs with applicable federal and  
257 state requirements as authorized by federal and state law.

258 (f) Serve on the Credentials Review Committee established  
259 in s. 445.004 to identify nondegree and degree credentials of  
260 value and facilitate the collection of data necessary to conduct  
261 committee work.

262 (g) Coordinate and facilitate a memorandum of  
263 understanding for data sharing agreements of the state's  
264 workforce performance data among state agencies and align, to  
265 the greatest extent possible, performance measures adopted under  
266 ss. 445.004 and 1008.43.

267 (h) Develop the criteria for assigning a letter grade for  
268 each local workforce development board under s. 445.004. The  
269 criteria shall, in part, be based on local workforce development  
270 board performance accountability measures and return on  
271 investment. The majority of the grade shall be based on the  
272 improvement by each local workforce development board in the  
273 long-term self-sufficiency of participants through outcome  
274 measures such as reduction in long-term public assistance and  
275 the percentage of participants whose wages were higher after

276 program completion compared to wages before participation in a  
277 program.

278 (i) Streamline the clinical placement process and increase  
279 clinical placement opportunities for students, hospitals, and  
280 other clinical sites by administering, directly or through a  
281 contract, a web-based centralized clinical placement system for  
282 use by all nursing education programs subject to the  
283 requirements in s. 464.019.

284 (j) Direct the objectives of the Talent Development  
285 Council established in s. 1004.015.

286 (4) The office shall create a no-wrong-door-entry strategy  
287 to improve equity and access to the myriad of state and  
288 federally funded workforce related programs through CareerSource  
289 Florida, Inc., local workforce development boards, one-stop  
290 career centers, school districts, charter technical centers,  
291 Florida College System institutions, the State University  
292 System, and through eligible training providers. Individuals  
293 must not be required to visit multiple locations when seeking  
294 access to education and workforce training. To create the  
295 strategy, the office shall:

296 (a) Develop a training course to cross-train all staff  
297 within the state's workforce development system on workforce  
298 related programs, including how to use an integrated case  
299 management system, develop an individual employment plan,  
300 conduct a comprehensive needs assessment, precertify individuals

301 for workforce related programs, and on any other activities to  
302 reinforce the no-wrong-door-entry strategy.

303 (b) Coordinate and facilitate a common intake form and  
304 case management system for use by workforce related programs to  
305 minimize duplicate data entry.

306 (c) Coordinate and facilitate a memorandum of  
307 understanding between the Department of Economic Opportunity and  
308 the Department of Children and Families to permit Supplemental  
309 Nutrition Assistance Program (SNAP) and Temporary Assistance for  
310 Needy Families (TANF) clients to precertify for Workforce  
311 Innovation and Opportunity Act training services without having  
312 to physically visit a one-stop center.

313 (d) Oversee the performance evaluation of workforce  
314 related programs and services under s. 445.033.

315 (e) Identify other state and federal programs that serve  
316 individuals with significant barriers to employment as  
317 demonstrated by low placement, employment, and earnings rates  
318 and identify strategies to increase the utilization of such  
319 programs by local workforce development boards.

320 (5) The office shall provide the public with access to  
321 available federal, state, and local services and provide  
322 stakeholders with a systemwide, global view of workforce related  
323 program data across various programs through actionable  
324 qualitative and quantitative information. The office shall:

325 (a) Minimize duplication and maximize the use of existing

326 resources by facilitating the adaptation and integration of  
327 state information systems to improve usability and seamlessly  
328 link to the workforce opportunity portal and other compatible  
329 state information systems and applications to help residents of  
330 the state:

331 1. Explore and identify career opportunities.

332 2. Identify in-demand jobs and associated earning  
333 potential.

334 3. Identify the skills and credentials needed for specific  
335 jobs.

336 4. Access a broad array of federal, state, and local  
337 workforce related programs.

338 5. Determine the quality of workforce related programs  
339 offered by public postsecondary educational institutions and  
340 public and private training providers, based on employment,  
341 wages, continued education, student loan debt, and receipt of  
342 public assistance by graduates of workforce, certificate, or  
343 degree programs. To gather this information, the office shall  
344 review each workforce related program 1 year after the program's  
345 first graduating class and every 5 years after the first review.

346 6. Identify opportunities and resources to support  
347 individuals along their career pathway.

348 7. Provide information to help individuals understand  
349 their potential earnings through paid employment and cope with  
350 the loss of public assistance as they progress through career

351 pathways toward self-sufficiency.

352 8. Map the timing and magnitude of the loss of public  
353 assistance for in-demand occupations across the state to help  
354 individuals visualize how their incomes will increase over time  
355 as they move toward self-sufficiency.

356 (b) Provide access to labor market data consistent with  
357 the official information developed by the Labor Market  
358 Estimating Conference and provide guidance on how to analyze the  
359 data, the appropriate use of the data, and any limitations of  
360 the data, including instances in which such data may not be  
361 used.

362 (c) Maximize the use of the workforce opportunity portal  
363 at locations within the workforce development system.

364 (d) Maximize the use of available federal and private  
365 funds for the development and initial operation of the workforce  
366 opportunity portal. Any incidental costs to state agencies must  
367 be derived from existing resources.

368 (e) By December 1, 2022, and annually thereafter, report  
369 to the Legislature on the implementation and outcomes of the  
370 workforce opportunity portal, including the increase of economic  
371 self-sufficiency of individuals.

372 Section 2. Subsection (7) of section 216.136, Florida  
373 Statutes, is amended to read:

374 216.136 Consensus estimating conferences; duties and  
375 principals.—

376 (7) LABOR MARKET ~~WORKFORCE~~ ESTIMATING CONFERENCE.—

377 (a) The Labor Market ~~Workforce~~ Estimating Conference shall  
378 develop such official information with respect to real-time  
379 supply and demand in Florida's statewide, regional, and local  
380 labor markets ~~on the workforce development system planning~~  
381 ~~process as it relates to the personnel needs of current, new,~~  
382 ~~and emerging industries~~ as the conference determines is needed  
383 by the state planning and budgeting system. Such information  
384 shall include labor supply by education level, analyses of labor  
385 demand by occupational groups and occupations compared to labor  
386 supply, a ranking of critical areas of concern, and  
387 identification of in-demand, high-skill, high-wage occupations  
388 prioritized by level of statewide or regional shortages. The  
389 Office of Economic and Demographic Research is designated as the  
390 official lead for the United States Census Bureau's State Data  
391 Center Program or its successor. All state agencies must provide  
392 the Office of Economic and Demographic Research with the  
393 necessary data to accomplish the goals of the conference. In  
394 accordance with s. 216.135, state agencies must ensure that any  
395 related work product regarding labor demand and supply is  
396 consistent with the official information developed by the Labor  
397 Market Estimating Conference created in s. 216.136. ~~using~~  
398 ~~quantitative and qualitative research methods, must include at~~  
399 ~~least: short-term and long-term forecasts of employment demand~~  
400 ~~for jobs by occupation and industry; entry and average wage~~

401 ~~forecasts among those occupations; and estimates of the supply~~  
402 ~~of trained and qualified individuals available or potentially~~  
403 ~~available for employment in those occupations, with special~~  
404 ~~focus upon those occupations and industries which require high~~  
405 ~~skills and have high entry wages and experienced wage levels. In~~  
406 ~~the development of workforce estimates, the conference shall~~  
407 ~~use, to the fullest extent possible, local occupational and~~  
408 ~~workforce forecasts and estimates.~~

409 ~~(b) The Workforce Estimating Conference shall review data~~  
410 ~~concerning local and regional demands for short-term and long-~~  
411 ~~term employment in High-Skills/High-Wage Program jobs, as well~~  
412 ~~as other jobs, which data is generated through surveys conducted~~  
413 ~~as part of the state's Internet-based job matching and labor~~  
414 ~~market information system authorized under s. 445.011. The~~  
415 ~~conference shall consider this data in developing its forecasts~~  
416 ~~for statewide employment demand, including reviewing local and~~  
417 ~~regional data for common trends and conditions among localities~~  
418 ~~or regions which may warrant inclusion of a particular~~  
419 ~~occupation on the statewide occupational forecasting list~~  
420 ~~developed by the conference. Based upon its review of such~~  
421 ~~survey data, the conference shall also make recommendations~~  
422 ~~semiannually to CareerSource Florida, Inc., on additions or~~  
423 ~~deletions to lists of locally targeted occupations approved by~~  
424 ~~CareerSource Florida, Inc.~~

425 ~~(b)(e) The Labor Market Workforce Estimating Conference,~~

426 for the purposes described in paragraph (a), shall meet at least  
427 twice a year and as necessary to address emerging opportunities  
428 for the state's economy no less than 2 times in a calendar year.  
429 ~~The first meeting shall be held in February, and the second~~  
430 ~~meeting shall be held in August. Other meetings may be scheduled~~  
431 ~~as needed.~~

432 Section 3. Paragraph (b) of subsection (8) of section  
433 288.047, Florida Statutes, is amended to read:

434 288.047 Quick-response training for economic development.—

435 (8) The Quick-Response Training Program is created to  
436 provide assistance to participants in the welfare transition  
437 program. CareerSource Florida, Inc., may award quick-response  
438 training grants and develop applicable guidelines for the  
439 training of participants in the welfare transition program. In  
440 addition to a local economic development organization, grants  
441 must be endorsed by the applicable local workforce development  
442 board.

443 (b) Participants trained under ~~pursuant to~~ this subsection  
444 must be employed at a job paying a wage equivalent to or above  
445 the state's minimum hourly wage ~~at least \$6 per hour.~~

446 Section 4. Subsection (2) is amended in 445.002, Florida  
447 Statutes, to read:

448 445.002 Definitions.—As used in this chapter, the term:

449 (2) "For cause" includes, but is not limited to, engaging  
450 in fraud or other criminal acts, incapacity, unfitness, neglect

451 of duty, official incompetence and irresponsibility,  
452 misfeasance, malfeasance, nonfeasance, gross mismanagement,  
453 waste, or lack of performance.

454 Section 5. Paragraph (a) of subsection (3) and subsection  
455 (6) of section 445.003, Florida Statutes, are amended, and  
456 subsection (7) is added to that section, to read:

457 445.003 Implementation of the federal Workforce Innovation  
458 and Opportunity Act.—

459 (3) FUNDING.—

460 (a) Title I, Workforce Innovation and Opportunity Act  
461 funds; Wagner-Peyser funds; and NAFTA/Trade Act funds will be  
462 expended based on the 4-year plan of the state board. The plan  
463 must outline and direct the method used to administer and  
464 coordinate various funds and programs that are operated by  
465 various agencies. The following provisions apply to these funds:

466 1. At least 50 percent of the Title I funds for Adults and  
467 Dislocated Workers which are passed through to local workforce  
468 development boards shall be allocated to and expended on  
469 Individual Training Accounts unless a local workforce  
470 development board obtains a waiver from the state board.  
471 Tuition, books, and fees of training providers and other  
472 training services prescribed and authorized by the Workforce  
473 Innovation and Opportunity Act qualify as Individual Training  
474 Account expenditures.

475 2. Fifteen percent of Title I funding shall be retained at

476 the state level and dedicated to state administration and shall  
477 be used to design, develop, induce, ~~and~~ fund, and evaluate the  
478 long-term impact of innovative Individual Training Account  
479 pilots, demonstrations, and programs to enable participants to  
480 attain self-sufficiency and to evaluate the effectiveness of  
481 performance-based contracts used by local workforce development  
482 boards under s. 445.024(5) on increasing wages and employment  
483 over the long term. Of such funds retained at the state level,  
484 \$2 million may be reserved for the Incumbent Worker Training  
485 Program created under subparagraph 3. Eligible state  
486 administration costs include the costs of funding for the state  
487 board and state board staff; operating fiscal, compliance, and  
488 management accountability systems through the department;  
489 conducting evaluation and research on workforce development  
490 activities; and providing technical and capacity building  
491 assistance to local workforce development areas at the direction  
492 of the state board. Notwithstanding s. 445.004, such  
493 administrative costs may not exceed 25 percent of these funds.  
494 An amount not to exceed 75 percent of these funds shall be  
495 allocated to Individual Training Accounts and other workforce  
496 development strategies for other training designed and tailored  
497 by the state board in consultation with the department,  
498 including, but not limited to, programs for incumbent workers,  
499 nontraditional employment, and enterprise zones. The state  
500 board, in consultation with the department, shall design, adopt,

501 and fund Individual Training Accounts for distressed urban and  
502 rural communities.

503 3. The Incumbent Worker Training Program is created for  
504 the purpose of providing grant funding for continuing education  
505 and training of incumbent employees at existing Florida  
506 businesses. The program will provide reimbursement grants to  
507 businesses that pay for preapproved, direct, training-related  
508 costs. For purposes of this subparagraph, the term "businesses"  
509 includes hospitals operated by nonprofit or local government  
510 entities which provide nursing opportunities to acquire new or  
511 improved skills.

512 a. The Incumbent Worker Training Program will be  
513 administered by CareerSource Florida, Inc., which may, at its  
514 discretion, contract with a private business organization to  
515 serve as grant administrator.

516 b. The program shall be administered under ~~pursuant to~~ s.  
517 134(d)(4) of the Workforce Innovation and Opportunity Act.  
518 ~~Priority for~~ Funding priority shall be given in the following  
519 order: to

520 (I) Businesses that provide employees with opportunities  
521 to acquire new or improved skills by earning a credential on the  
522 Master Credentials List.

523 (II) Hospitals operated by nonprofit or local government  
524 entities that provide nursing opportunities to acquire new or  
525 improved skills.

526           (III) Businesses whose grant proposals represent a  
527 significant upgrade in employee skills.

528           (IV) Businesses with 25 employees or fewer, businesses in  
529 rural areas, and businesses in distressed inner-city areas.

530           (V) Businesses in a qualified targeted industry  
531 ~~businesses whose grant proposals represent a significant upgrade~~  
532 ~~in employee skills,~~ or businesses whose grant proposals  
533 represent a significant layoff avoidance strategy.

534           c. All costs reimbursed by the program must be preapproved  
535 by CareerSource Florida, Inc., or the grant administrator. The  
536 program may not reimburse businesses for trainee wages, the  
537 purchase of capital equipment, or the purchase of any item or  
538 service that may possibly be used outside the training project.  
539 A business approved for a grant may be reimbursed for  
540 preapproved, direct, training-related costs including tuition,  
541 fees, books and training materials, and overhead or indirect  
542 costs not to exceed 5 percent of the grant amount.

543           d. A business that is selected to receive grant funding  
544 must provide a matching contribution to the training project,  
545 including, but not limited to, wages paid to trainees or the  
546 purchase of capital equipment used in the training project; must  
547 sign an agreement with CareerSource Florida, Inc., or the grant  
548 administrator to complete the training project as proposed in  
549 the application; must keep accurate records of the project's  
550 implementation process; and must submit monthly or quarterly

551 reimbursement requests with required documentation.

552 e. All Incumbent Worker Training Program grant projects  
553 shall be performance-based with specific measurable performance  
554 outcomes, including completion of the training project and job  
555 retention. CareerSource Florida, Inc., or the grant  
556 administrator shall withhold the final payment to the grantee  
557 until a final grant report is submitted and all performance  
558 criteria specified in the grant contract have been achieved.

559 f. The state board may establish guidelines necessary to  
560 implement the Incumbent Worker Training Program.

561 g. No more than 10 percent of the Incumbent Worker  
562 Training Program's total appropriation may be used for overhead  
563 or indirect purposes.

564 4. At least 50 percent of Rapid Response funding shall be  
565 dedicated to Intensive Services Accounts and Individual Training  
566 Accounts for dislocated workers and incumbent workers who are at  
567 risk of dislocation. The department shall also maintain an  
568 Emergency Preparedness Fund from Rapid Response funds, which  
569 will immediately issue Intensive Service Accounts, Individual  
570 Training Accounts, and other federally authorized assistance to  
571 eligible victims of natural or other disasters. At the direction  
572 of the Governor, these Rapid Response funds shall be released to  
573 local workforce development boards for immediate use after  
574 events that qualify under federal law. Funding shall also be  
575 dedicated to maintain a unit at the state level to respond to

576 Rapid Response emergencies and to work with state emergency  
577 management officials and local workforce development boards. All  
578 Rapid Response funds must be expended based on a plan developed  
579 by the state board in consultation with the department and  
580 approved by the Governor.

581 (6) AUTHORITY TO HIRE EXECUTIVE DIRECTOR AND STAFF.—The  
582 state board may hire an executive director and staff to assist  
583 in carrying out the functions of the Workforce Innovation and  
584 Opportunity Act and in using funds made available through the  
585 act. The state board shall require ~~authorize~~ the executive  
586 director and staff to work with the department to minimize  
587 duplication and maximize efficient use of resources in carrying  
588 out the functions of the Workforce Innovation and Opportunity  
589 Act.

590 (7) DUTIES OF THE DEPARTMENT.—The department shall adopt  
591 rules to implement the requirements of this chapter, including:

592 (a) The submission, review, and approval of local  
593 workforce plans.

594 (b) Initial and subsequent eligibility criteria, based on  
595 input from local workforce development boards and other  
596 stakeholders, for the Workforce Innovation and Opportunity Act  
597 eligible training provider list. This list directs training  
598 resources to programs leading to employment in high-demand and  
599 high-priority occupations that provide economic security,  
600 particularly those occupations facing a shortage of skilled

601 workers. A training provider who offers training to obtain a  
602 credential on the Master Credentials List under s.  
603 445.004(4) (h), may not be included on a state or local eligible  
604 training provider list if the provider fails to submit the  
605 required information or fails to meet initial or subsequent  
606 eligibility criteria. Subsequent eligibility criteria must use  
607 performance and outcome measures to determine whether a training  
608 provider is qualified to remain on the list. At a minimum, a  
609 training provider must have:

- 610 1. A completion rate of at least 75 percent.
- 611 2. Income earnings for participants who complete the  
612 program that are equivalent to or above the state's minimum wage  
613 in a calendar quarter.
- 614 3. An employment rate of at least 75 percent. For programs  
615 linked to an occupation, the employment rate is calculated based  
616 on obtaining employment in the field in which the participant  
617 was trained.

618 (c) Monitoring compliance of programs authorized by this  
619 chapter and determining whether such programs are meeting  
620 performance expectations, including an analysis of the return on  
621 investment of workforce related programs on individual  
622 employment, earnings, and public benefit usage outcomes and a  
623 cost-benefit analysis of the monetary impacts of workforce  
624 services from the participant and taxpayer points of view.

625 Section 6. Paragraph (d) of subsection (3), paragraphs (b)

626 and (e) of subsection (5) and subsections (6), (7), and (8),  
627 paragraph (b) of subsection (9), and subsection (11) of section  
628 445.004, Florida Statutes, are amended, and paragraph (h) is  
629 added to subsection (4), to read:

630 445.004 CareerSource Florida, Inc., and the state board;  
631 creation; purpose; membership; duties and powers.—

632 (3)

633 (d) The state board must include the vice chairperson of  
634 the board of directors of Enterprise Florida, Inc., and one  
635 member representing each of the Workforce Innovation and  
636 Opportunity Act partners, including the Division of Career and  
637 Adult Education, the Division of Vocational Rehabilitation, the  
638 Department of Children and Families, and other entities  
639 representing programs identified in the Workforce Innovation and  
640 Opportunity Act, as determined necessary.

641 (4)

642 (h)1. The state board shall appoint a Credentials Review  
643 Committee to identify nondegree credentials and degree  
644 credentials of value for approval by the state board and  
645 inclusion in the Master Credentials List. Such credentials must  
646 include apprenticeship certificates, industry certifications,  
647 licenses, advanced technical certificates, college credit  
648 certificates, career certificates, applied technology diplomas,  
649 associate degrees, baccalaureate degrees, and graduate degrees.  
650 The Credentials Review Committee must include representatives

651 from:

652 a. The Office of Reimagining Education and Career Help.

653 b. The Chancellors of the Division of Career and Adult

654 Education and Division of K-12 Public Schools.

655 c. The Florida College System.

656 d. The State University System.

657 e. Nonpublic postsecondary institutions.

658 f. The Department of Economic Opportunity.

659 g. The Department of Agriculture and Consumer Services.

660 h. Industry associations.

661 i. Florida-based businesses.

662 j. Local workforce development boards.

663 k. Any other entities representing programs identified in

664 the Workforce Innovation and Opportunity Act, as determined

665 necessary.

666 2. All information pertaining to the Credentials Review

667 Committee, the process for the approval of credentials of value,

668 and the Master Credentials List must be made available and be

669 easily accessible to the public on all relevant state agency

670 websites.

671 3. The Credentials Review Committee shall establish a

672 definition for credentials of value and create a framework of

673 quality. The framework must align with federally funded

674 workforce accountability requirements and undergo biennial

675 review.

676 4. The criteria to determine value for nondegree  
677 credentials should, at a minimum, require:

678 a. Evidence that the credential meets labor market demand  
679 as identified by the Labor Market Estimating Conference created  
680 in s. 216.136 or meets local demand as identified in the  
681 criteria adopted by the Credentials Review Committee. Evidence  
682 must include employer information on present credential use or  
683 emerging opportunities.

684 b. Evidence that the competencies mastered upon completion  
685 of the credential are aligned with labor market demand.

686 c. Evidence of the employment and earnings outcomes for  
687 individuals after obtaining the credential. Earnings outcomes  
688 must provide middle-level to high-level wages with preference  
689 given to credentials generating high-level wages. Credentials  
690 that do not meet the earnings outcomes criteria must build on  
691 additional education or training to be identified as a  
692 credential of value. For new credentials, this criteria may be  
693 met with conditional eligibility until measurable labor market  
694 outcomes are obtained.

695 5. The Credentials Review Committee shall establish the  
696 criteria to determine value for degree programs. This criteria  
697 shall include evidence that the program meets the labor market  
698 demand as identified by the Labor Market Estimating Conference  
699 created in s. 216.136 or meets local demand as determined by the  
700 committee. Such criteria must be used to designate programs of

701 emphasis under s. 1001.706.

702 6. The Credentials Review Committee shall establish a  
703 process for prioritizing nondegree credentials and degree  
704 programs based on critical statewide or regional shortages.

705 7. The Credentials Review Committee shall establish a  
706 process for:

707 a. Quarterly review and approval of credential  
708 applications. Approved credentials of value shall be used by the  
709 committee to develop the Master Credentials List.

710 b. Annual review of the Master Credentials List.

711 c. Phasing out credentials on the Master Credentials List  
712 that no longer meet the framework of quality.

713 d. Designating performance funding eligibility under ss.  
714 1011.80 and 1011.81, based upon the highest available  
715 certification for postsecondary students.

716 e. Beginning with the 2022-2023 school year, the state  
717 board shall submit the Master Credentials List to the State  
718 Board of Education. The list must, at a minimum, identify  
719 credentials that may be offered statewide, regionally, or at the  
720 local level; the type of certificate or credential; and the  
721 primary standard occupation classification code. For the 2021-  
722 2022 school year, the Master Credentials List shall be comprised  
723 of the CAPE Industry Certification Funding List and the CAPE  
724 Postsecondary Industry Certification Funding List under ss.  
725 1008.44 and 1011.62(1) and adopted by the State Board of

726 Education before July 1, 2021.

727 8. The Credentials Review Committee shall establish a  
728 process for linking Classifications of Instructional Programs  
729 (CIP) to Standard Occupational Classifications (SOC) for all new  
730 credentials of value identified on the Master Credentials List.  
731 The CIP code aligns instructional programs to occupations. A CIP  
732 to SOC link indicates that programs classified in the CIP code  
733 category prepare individuals for jobs classified in the SOC code  
734 category. The state board shall submit approved CIP to SOC  
735 linkages to the State board of Education with each credential  
736 that is added to the Master Credentials List.

737 9. The Credentials Review Committee shall identify all  
738 data elements necessary to collect information on credentials by  
739 the Florida Education and Training Placement Program automated  
740 system under s. 1008.39.

741 10. The Credentials Review Committee shall develop a  
742 returned-value funding formula as provided under ss.  
743 1011.80(7)(b) and 1011.81(2)(b).

744 (5) The state board has all the powers and authority not  
745 explicitly prohibited by statute which are necessary or  
746 convenient to carry out and effectuate its purposes as  
747 determined by statute, Pub. L. No. 113-128, and the Governor, as  
748 well as its functions, duties, and responsibilities, including,  
749 but not limited to, the following:

750 (b) Providing policy direction to ensure that the

751 following programs are administered by the department consistent  
752 with approved plans:

753 1. Programs authorized under Title I of the Workforce  
754 Innovation and Opportunity Act, Pub. L. No. 113-128, with the  
755 exception of programs funded directly by the United States  
756 Department of Labor under Title I, s. 167.

757 2. Programs authorized under the Wagner-Peyser Act of  
758 1933, as amended, 29 U.S.C. ss. 49 et seq.

759 3. Activities authorized under Title II of the Trade Act  
760 of 2002, as amended, 19 U.S.C. ss. 2272 et seq., and the Trade  
761 Adjustment Assistance Program.

762 4. Activities authorized under 38 U.S.C. chapter 41,  
763 including job counseling, training, and placement for veterans.

764 5. Employment and training activities carried out under  
765 funds awarded to this state by the United States Department of  
766 Housing and Urban Development.

767 6. Welfare transition services funded by the Temporary  
768 Assistance for Needy Families Program, created under the  
769 Personal Responsibility and Work Opportunity Reconciliation Act  
770 of 1996, as amended, Pub. L. No. 104-193, and Title IV, s. 403,  
771 of the Social Security Act, as amended.

772 7. The Florida Bonding Program, provided under Pub. L. No.  
773 97-300, s. 164(a)(1).

774 8. The Food Assistance Employment and Training Program,  
775 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.

776 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;  
777 the Hunger Prevention Act, Pub. L. No. 100-435; and the  
778 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

779 9. The Quick-Response Training Program, provided under ss.  
780 288.046-288.047. Matching funds and in-kind contributions that  
781 are provided by clients of the Quick-Response Training Program  
782 count toward the requirements of s. 288.904, pertaining to the  
783 return on investment from activities of Enterprise Florida, Inc.

784 10. The Work Opportunity Tax Credit, provided under the  
785 Tax and Trade Relief Extension Act of 1998, Pub. L. No. 105-277,  
786 and the Taxpayer Relief Act of 1997, Pub. L. No. 105-34.

787 11. Offender placement services, provided under ss.  
788 944.707-944.708.

789  
790 ~~The department may adopt rules necessary to administer this~~  
791 ~~chapter which relate to implementing and administering the~~  
792 ~~programs listed in this paragraph as well as rules related to~~  
793 ~~eligible training providers and auditing and monitoring~~  
794 ~~subrecipients of the workforce system grant funds.~~

795 (e) Ensuring that the state does not waste valuable  
796 training resources. The state board's policy is that all  
797 resources, including equipment purchased for training Workforce  
798 Innovation and Opportunity Act clients, be available for use at  
799 all times by eligible populations as first priority users. At  
800 times when eligible populations are not available, such

801 resources shall be used for any other state-authorized education  
802 and training purpose. The state board and any of its committees,  
803 councils, or administrative entities may authorize expenditures  
804 to award suitable framed certificates, pins, or other tokens of  
805 recognition for performance by a local workforce development  
806 board, its committees and subdivisions, and other units of the  
807 workforce system. The state board may also authorize  
808 expenditures for promotional items, such as t-shirts, hats, or  
809 pens printed with messages promoting the state's workforce  
810 system to employers, job seekers, and program participants.  
811 However, such expenditures are subject to federal regulations  
812 applicable to the expenditure of federal funds.

813 (6) The state board shall ~~may take action that it deems~~  
814 ~~necessary to~~ achieve the purposes of this section by, ~~including,~~  
815 ~~but not limited to:~~

816 (a) Creating a state employment, education, and training  
817 policy that ensures workforce related programs ~~that programs to~~  
818 ~~prepare workers~~ are responsive to present and future business  
819 and industry needs and complement the initiatives of Enterprise  
820 Florida, Inc.

821 (b) Establishing policy direction for a uniform funding  
822 system that prioritizes evidence-based, results-driven solutions  
823 by providing ~~provides~~ incentives to improve the outcomes of  
824 career education, registered apprenticeship, and work-based  
825 learning programs and that focuses resources on occupations

826 related to new or emerging industries that add greatly to the  
827 value of the state's economy.

828 (c) Establishing a comprehensive policy related to the  
829 education and training of target populations such as those who  
830 have disabilities, are economically disadvantaged, receive  
831 public assistance, are not proficient in English, or are  
832 dislocated workers. This approach should ensure the effective  
833 use of federal, state, local, and private resources in reducing  
834 the need for public assistance by combining two or more sources  
835 of funding to support workforce related programs or activities  
836 for vulnerable populations.

837 (d) Identifying barriers to coordination and alignment  
838 among workforce related programs and activities and developing  
839 solutions to remove such barriers.

840 (e) Maintaining a Master Credentials List that:

841 1. Serves as a public and transparent inventory of state-  
842 approved credentials of value.

843 2. Directs the use of federal and state funds for  
844 workforce education and training programs that lead to approved  
845 credentials of value.

846 3. Guides workforce education and training programs by  
847 informing the public of the credentials that have value in the  
848 current or future job market.

849 ~~(d) Designating Institutes of Applied Technology composed~~  
850 ~~of public and private postsecondary institutions working~~

851 ~~together with business and industry to ensure that career~~  
852 ~~education programs use the most advanced technology and~~  
853 ~~instructional methods available and respond to the changing~~  
854 ~~needs of business and industry.~~

855 ~~(e) Providing policy direction for a system to project and~~  
856 ~~evaluate labor market supply and demand using the results of the~~  
857 ~~Workforce Estimating Conference created in s. 216.136 and the~~  
858 ~~career education performance standards identified under s.~~  
859 ~~1008.43.~~

860 ~~(f) Reviewing the performance of public programs that are~~  
861 ~~responsible for economic development, education, employment, and~~  
862 ~~training. The review must include an analysis of the return on~~  
863 ~~investment of these programs.~~

864 ~~(g) Expanding the occupations identified by the Workforce~~  
865 ~~Estimating Conference to meet needs created by local emergencies~~  
866 ~~or plant closings or to capture occupations within emerging~~  
867 ~~industries.~~

868 (7) By December 1 of each year, the state board, in  
869 consultation with the department, shall submit to the Governor,  
870 the President of the Senate, the Speaker of the House of  
871 Representatives, the Senate Minority Leader, and the House  
872 Minority Leader a complete and detailed annual report setting  
873 forth:

874 (a) All audits and investigations, ~~including any audit~~  
875 ~~conducted under subsection (8).~~

876 (b) The operations and accomplishments of the state board,  
877 including the programs or entities specified in subsection (6).

878 (c) The number of mandatory partners located within one-  
879 stop centers.

880 (d) The progress on implementing solutions to address  
881 barriers to coordination and alignment among programs and  
882 activities identified under paragraph (6) (d).

883 (8) Annually, beginning July 1, 2022, the state board  
884 shall assign a letter grade for each local workforce development  
885 board using the criteria established by the Office of  
886 Reimagining Education and Career Help under s. 14.36 ~~Pursuant to~~  
887 ~~his or her own authority or at the direction of the Legislative~~  
888 ~~Auditing Committee, the Auditor General may conduct an audit of~~  
889 ~~the state board and CareerSource Florida, Inc., or the programs~~  
890 ~~or entities created by the state board. The Office of Program~~  
891 ~~Policy Analysis and Government Accountability, pursuant to its~~  
892 ~~authority or at the direction of the Legislative Auditing~~  
893 ~~Committee, may review the systems and controls related to~~  
894 ~~performance outcomes and quality of services of the state board~~  
895 ~~and CareerSource Florida, Inc.~~

896 (9) The state board, in collaboration with the local  
897 workforce development boards and appropriate state agencies and  
898 local public and private service providers, shall establish  
899 uniform performance accountability measures that apply across  
900 the core programs to gauge the performance of the state and

901 local workforce development boards in achieving the workforce  
902 development strategy.

903 (b) The performance accountability measures for each local  
904 area consist of the primary indicators of performance, any  
905 additional indicators of performance, and a local level of  
906 performance for each indicator pursuant to Pub. L. No. 113-128.  
907 The local level of performance is determined by the local board,  
908 the chief elected official, and the Governor pursuant to Pub. L.  
909 No. 113-128, Title I, s. 116(c). Any local performance  
910 accountability measures that are established must be based on  
911 identified local area needs.

912 (11) The workforce development system must use local  
913 design and control of service delivery and targeted activities.  
914 The state board, in consultation with the department, is  
915 responsible for ensuring that local workforce development boards  
916 have a membership consistent with the requirements of federal  
917 and state law and have developed a plan consistent with the  
918 state's workforce development strategy. The plan must specify  
919 methods for allocating the resources and programs in a manner  
920 that eliminates unwarranted duplication, minimizes  
921 administrative costs, meets the existing job market demands and  
922 the job market demands resulting from successful economic  
923 development activities, ensures access to quality workforce  
924 development services for all Floridians, allows for pro rata or  
925 partial distribution of benefits and services, prohibits the

926 creation of a waiting list or other indication of an unserved  
927 population, serves as many individuals as possible within  
928 available resources, and maximizes successful outcomes. The  
929 state board shall establish incentives for effective alignment  
930 and coordination of federal and state programs and those  
931 identified by the Office of Reimagining Education and Career  
932 Help under s. 14.36(4)(e), outline rewards for long-term self-  
933 sufficiency of ~~successful job placements~~ participants, and  
934 institute collaborative approaches among local service  
935 providers.

936 Section 7. Subsection (2) of section 445.006, Florida  
937 Statutes, is amended, and subsection (4) is added to that  
938 section, to read:

939 445.006 State plan for workforce development.—

940 (2) STRATEGIC PLANNING ELEMENTS.—The state board, in  
941 conjunction with state and local partners in the workforce  
942 development system, shall develop strategic planning elements,  
943 pursuant to Pub. L. No. 113-128, Title I, s. 102, for the state  
944 plan.

945 (a) The strategic planning elements of the state plan must  
946 include, but need not be limited to, strategies for:

947 1. Fulfilling the workforce system goals and strategies  
948 prescribed in s. 445.004.†

949 2. Aggregating, integrating, and leveraging workforce  
950 system resources.†

951 3. Coordinating the activities of federal, state, and  
952 local workforce system partners.†

953 4. Addressing the workforce needs of small businesses.†  
954 and

955 5. Fostering the participation of rural communities and  
956 distressed urban cores in the workforce system.

957 (b) The strategic planning elements must include criteria  
958 for allocating workforce resources to local workforce  
959 development boards. With respect to allocating funds to serve  
960 customers of the welfare transition program, such criteria may  
961 include weighting factors that indicate the relative degree of  
962 difficulty associated with securing and retaining employment  
963 placements for specific subsets of the welfare transition  
964 caseload.

965 (c) The state plan must describe:

966 1. How the activities will be carried out by the  
967 respective core programs to implement the strategy and how the  
968 activities will be aligned across the programs and among the  
969 entities administering the programs, including using  
970 coenrollment and other strategies.

971 2. How the activities will be aligned with other  
972 activities that are provided under employment, training,  
973 education, including career and technical education, and human  
974 services programs that are not covered by the state plan, as  
975 appropriate, to avoid duplication and assure coordination.

976 3. How the entities carrying out the respective core  
977 programs will coordinate activities and provide comprehensive,  
978 high-quality services, including supportive services, to  
979 individuals.

980 4. How the state's strategy to engage Florida College  
981 System institutions and local career and technical education  
982 schools as partners in the workforce development system will  
983 enable the state to leverage other federal, state, and local  
984 investments and increase access to workforce development  
985 programs at those institutions.

986 5. How the activities will be coordinated with economic  
987 development strategies.

988 6. How the state's strategy will improve access to  
989 activities leading to a state approved recognized postsecondary  
990 credential, including a credential that is an industry  
991 recognized certificate or certification that is portable and  
992 builds on additional education or training.

993 (4) WAIVERS.—The department shall prepare a federal waiver  
994 to be submitted by the Governor to the United States Department  
995 of Labor that:

996 (a) Allows the state board to fulfill the roles and  
997 responsibilities of local workforce development boards or that  
998 reduces the number of local workforce development boards based  
999 on population size and commuting patterns in order to:

1000 1. Eliminate multiple layers of administrative entities to

1001 improve coordination of the workforce development system.

1002 2. Establish consistent eligibility standards across the  
1003 state to improve the accountability of workforce related  
1004 programs.

1005 3. Provide greater flexibility in the allocation of  
1006 resources to maximize the funds directed to training and  
1007 business services.

1008 (b) Allows the Governor to reallocate funds among local  
1009 areas that have a demonstrated need for additional funding and  
1010 programmatic outcomes that will maximize the use of the  
1011 additional funds to serve low-income individuals, public  
1012 assistance recipients, dislocated workers, and unemployment  
1013 insurance claimants.

1014 Section 8. Section 445.007, Florida Statutes, is amended  
1015 to read:

1016 445.007 Local workforce development boards.—

1017 (1) One local workforce development board shall be  
1018 appointed in each designated service delivery area and shall  
1019 serve as the local workforce development board pursuant to Pub.  
1020 L. No. 113-128. The membership of the local board must be  
1021 consistent with Pub. L. No. 113-128, Title I, s. 107(b). If a  
1022 public education or training provider is represented on the  
1023 local board, a representative of a private education provider  
1024 must also be appointed to the local board. The state board may  
1025 waive this requirement if requested by a local workforce

1026 ~~development~~ board if it is demonstrated that such  
1027 representatives do not exist in the region. The importance of  
1028 minority and gender representation shall be considered when  
1029 making appointments to the local board. The local board, its  
1030 committees, subcommittees, and subdivisions, and other units of  
1031 the workforce system, including units that may consist in whole  
1032 or in part of local governmental units, may use any method of  
1033 telecommunications to conduct meetings, including establishing a  
1034 quorum through telecommunications, provided that the public is  
1035 given proper notice of the telecommunications meeting and  
1036 reasonable access to observe and, when appropriate, participate.  
1037 Local ~~workforce development~~ boards are subject to chapters 119  
1038 and 286 and s. 24, Art. I of the State Constitution. ~~If the~~  
1039 ~~local workforce development board enters into a contract with an~~  
1040 ~~organization or individual represented on the local board, the~~  
1041 ~~contract must be approved by a two-thirds vote of the local~~  
1042 ~~board, a quorum having been established, and the local board~~  
1043 ~~member who could benefit financially from the transaction must~~  
1044 ~~abstain from voting on the contract. A local board member must~~  
1045 ~~disclose any such conflict in a manner that is consistent with~~  
1046 ~~the procedures outlined in s. 112.3143.~~ Each member of a local  
1047 ~~workforce development~~ board who is not otherwise required to  
1048 file a full and public disclosure of financial interests under  
1049 s. 8, Art. II of the State Constitution or s. 112.3144 shall  
1050 file a statement of financial interests under s. 112.3145. The

1051 executive director or designated person responsible for the  
1052 operational and administrative functions of the local ~~workforce~~  
1053 ~~development~~ board who is not otherwise required to file a full  
1054 and public disclosure of financial interests under s. 8, Art. II  
1055 of the State Constitution or s. 112.3144 shall file a statement  
1056 of financial interests under s. 112.3145. The local board's  
1057 website, or the department's website if the local board does not  
1058 maintain a website, must inform the public that each disclosure  
1059 or statement has been filed with the Commission on Ethics and  
1060 provide information how each disclosure or statement may be  
1061 reviewed. The notice to the public must remain on the website  
1062 throughout the term of office or employment of the filer and  
1063 until 1 year after the term on the local board or employment  
1064 ends.

1065 (2) (a) The local workforce development board shall elect a  
1066 chair from among the representatives described in Pub. L. No.  
1067 113-128, Title I, s. 107(b) (2) (A) to serve for a term of no more  
1068 than 2 years and may not shall serve no more than two terms as  
1069 chair. A member of a local board may not serve as a member of  
1070 the board for more than 6 consecutive years, unless such member  
1071 is a representative of a governmental entity.

1072 (b) The Governor may remove a member of the local board,  
1073 the executive director of the local board, or the designated  
1074 person responsible for the operational and administrative  
1075 functions of the local board for cause.

1076 (c) The chief elected official for the local ~~workforce~~  
1077 ~~development~~ board may remove a member of the local board, the  
1078 executive director of the local board, or the designated person  
1079 responsible for the operational and administrative functions of  
1080 the local board for cause.

1081 (3) The department shall assign staff to meet with each  
1082 local workforce development board annually to review the local  
1083 board's performance as determined under s. 445.004(8) and to  
1084 certify that the local board is in compliance with applicable  
1085 state and federal law.

1086 (4) In addition to the duties and functions specified by  
1087 the state board and by the interlocal agreement approved by the  
1088 local county or city governing bodies, the local workforce  
1089 development board shall have the following responsibilities:

1090 (a) Develop, submit, ratify, or amend the local plan  
1091 pursuant to Pub. L. No. 113-128, Title I, s. 108 and this act.

1092 (b) Conclude agreements necessary to designate the fiscal  
1093 agent and administrative entity. A public or private entity,  
1094 including an entity established under s. 163.01, which makes a  
1095 majority of the appointments to a local ~~workforce development~~  
1096 board may serve as the local board's administrative entity if  
1097 approved by the department based upon a showing that a fair and  
1098 competitive process was used to select the administrative  
1099 entity.

1100 (c) Provide ongoing oversight related to administrative

1101 costs, duplicated services, career counseling, economic  
1102 development, equal access, compliance and accountability, and  
1103 performance outcomes.

1104 (d) Oversee the one-stop delivery system in its local  
1105 area.

1106 (5) The department and CareerSource Florida, Inc., in  
1107 consultation with the state board, shall implement a training  
1108 program for the local workforce development boards to  
1109 familiarize local board members with the state's workforce  
1110 development goals and strategies.

1111 (6) Consistent with federal and state law, the local  
1112 workforce development board shall designate all local service  
1113 providers and may not transfer this authority to a third party.  
1114 Consistent with the intent of the Workforce Innovation and  
1115 Opportunity Act, local ~~workforce development~~ boards should  
1116 provide the greatest possible choice of training providers to  
1117 those who qualify for training services. A local ~~workforce~~  
1118 ~~development~~ board may not restrict the choice of training  
1119 providers based upon cost, location, or historical training  
1120 arrangements. However, a local board may restrict the amount of  
1121 training resources available to any one client. Such  
1122 restrictions may vary based upon the cost of training in the  
1123 client's chosen occupational area. The local ~~workforce~~  
1124 ~~development~~ board may be designated as a one-stop operator and  
1125 direct provider of intake, assessment, eligibility

1126 determinations, or other direct provider services except  
1127 training services. Such designation may occur only with the  
1128 agreement of the chief elected official and the Governor as  
1129 specified in 29 U.S.C. s. 2832(f)(2). The state board shall  
1130 establish procedures by which a local ~~workforce development~~  
1131 board may request permission to operate under this section and  
1132 the criteria under which such permission may be granted. The  
1133 criteria shall include, but need not be limited to, a reduction  
1134 in the cost of providing the permitted services. Such permission  
1135 shall be granted for a period not to exceed 3 years for any  
1136 single request submitted by the local ~~workforce development~~  
1137 board.

1138 (7) Local workforce development boards shall adopt a  
1139 committee structure consistent with applicable federal law and  
1140 state policies established by the state board.

1141 (8) The importance of minority and gender representation  
1142 shall be considered when appointments are made to any committee  
1143 established by the local workforce development board.

1144 (9) For purposes of procurement, local workforce  
1145 development boards and their administrative entities are not  
1146 state agencies and are exempt from chapters 120 and 287. The  
1147 local ~~workforce development~~ boards shall apply the procurement  
1148 and expenditure procedures required by federal law and policies  
1149 of the department and the state board for the expenditure of  
1150 federal, state, and nonpass-through funds. The making or

1151 approval of smaller, multiple payments for a single purchase  
1152 with the intent to avoid or evade the monetary thresholds and  
1153 procedures established by federal law and policies of the  
1154 department and the state board is grounds for removal for cause.  
1155 Local ~~workforce development~~ boards, their administrative  
1156 entities, committees, and subcommittees, and other workforce  
1157 units may authorize expenditures to award suitable framed  
1158 certificates, pins, or other tokens of recognition for  
1159 performance by units of the workforce development system. Local  
1160 ~~workforce development~~ boards; their administrative entities,  
1161 committees, and subcommittees; and other workforce units may  
1162 authorize expenditures for promotional items, such as t-shirts,  
1163 hats, or pens printed with messages promoting the state's  
1164 ~~Florida's~~ workforce system to employers, job seekers, and  
1165 program participants. However, such expenditures are subject to  
1166 federal regulations applicable to the expenditure of federal  
1167 funds. All contracts executed by local ~~workforce development~~  
1168 boards must include specific performance expectations and  
1169 deliverables.

1170 (10) State and federal funds provided to the local  
1171 workforce development boards may not be used directly or  
1172 indirectly to pay for meals, food, or beverages for members,  
1173 staff, or employees of local ~~workforce development~~ boards, the  
1174 state board, or the department except as expressly authorized by  
1175 state law. Preapproved, reasonable, and necessary per diem

1176 allowances and travel expenses may be reimbursed. Such  
1177 reimbursement shall be at the standard travel reimbursement  
1178 rates established in s. 112.061 and shall be in compliance with  
1179 all applicable federal and state requirements. The department  
1180 shall provide fiscal and programmatic guidance to the state  
1181 board, CareerSource Florida, Inc., and all local ~~workforce~~  
1182 ~~development~~ boards to hold both the state and local ~~workforce~~  
1183 ~~development~~ boards strictly accountable for adherence to the  
1184 policy and subject to regular and periodic monitoring by the  
1185 department. Local boards are prohibited from expending state or  
1186 federal funds for entertainment costs and recreational  
1187 activities for local board members and employees as these terms  
1188 are defined by 2 C.F.R. part 200.

1189 (11) (a) To increase transparency and accountability, a  
1190 local workforce development board must comply with the  
1191 requirements of this section before contracting with a member of  
1192 the local board; ~~or~~ a relative, as defined in s. 112.3143(1)(c),  
1193 of a local board member; an organization or individual  
1194 represented on the local board; or of an employee of the local  
1195 board. Such contracts may not be executed before or without the  
1196 prior approval of the department. Such contracts, as well as  
1197 documentation demonstrating adherence to this section as  
1198 specified by the department, must be submitted to the department  
1199 for review and approval. Such a contract must be approved by a  
1200 two-thirds vote of the local board, a quorum having been

1201 established; all conflicts of interest must be disclosed before  
1202 the vote in a manner that is consistent with the procedures  
1203 outlined in s. 112.3143(4); and any member who may benefit from  
1204 the contract, or whose organization or relative may benefit from  
1205 the contract, must abstain from the vote. A contract subject to  
1206 the requirements of this subsection may not be included on a  
1207 consent agenda.

1208 (b) A contract under \$10,000 ~~\$25,000~~ between a local  
1209 ~~workforce development board,~~ and a member of that board or  
1210 ~~between~~ a relative, as defined in s. 112.3143(1)(c), of a local  
1211 board member, or of an employee of the local board is not  
1212 required to have the prior approval of the department, but must  
1213 be approved by a two-thirds vote of the local board, a quorum  
1214 having been established, and must be reported to the department  
1215 and the state board within 30 days after approval.

1216 (c) All contracts between a local board and a member of  
1217 the local board; a relative, as defined in s. 112.3143(1)(c), of  
1218 a local board member; an organization or individual represented  
1219 on the local board; or an employee of the local board, approved  
1220 on or after July 1, 2021, must also be published on the local  
1221 board's website, or on the department's website if the local  
1222 board does not maintain a website, within 10 days after approval  
1223 by the local board or department, whichever is later. Such  
1224 contracts must remain published on the website for at least 1  
1225 year after termination of the contract.

1226           (d) In considering whether to approve a contract under  
1227 this subsection, the department shall review and consider all  
1228 documentation provided to the department by the local board,  
1229 including the performance of the entity with which the local  
1230 board is proposing to contract with, if applicable, and the  
1231 nature, size, and makeup of the business community served by the  
1232 local board, including whether the entity with which the local  
1233 board is proposing to contract with is the only provider of the  
1234 desired goods or services within the area served by the local  
1235 board ~~If a contract cannot be approved by the department, a~~  
1236 ~~review of the decision to disapprove the contract may be~~  
1237 ~~requested by the local workforce development board or other~~  
1238 ~~parties to the disapproved contract.~~

1239           (12) Each local workforce development board shall develop  
1240 a budget for the purpose of carrying out the duties of the local  
1241 board under this section, subject to the approval of the chief  
1242 elected official. Each local ~~workforce development~~ board shall  
1243 submit its annual budget for review to the department no later  
1244 than 2 weeks after the chair approves the budget. The local  
1245 board shall publish the budget on its website, or the  
1246 department's website if the local board does not maintain a  
1247 website, within 10 days after approval by the department. The  
1248 budget shall remain published on the website for the duration of  
1249 the fiscal year for which it accounts for the expenditure of  
1250 funds.

1251           (13) Each local workforce development board shall  
1252 annually, within 30 days after the end of the fiscal year,  
1253 disclose to the department, in a manner determined by the  
1254 department, the amount and nature of compensation paid to all  
1255 executives, officers, directors, trustees, key employees, and  
1256 the highest compensated employees, as defined for purposes of  
1257 the Internal Revenue Service Form 990, Return of Organization  
1258 Exempt from Income Tax, including salary, bonuses, present value  
1259 of vested benefits including but not limited to retirement,  
1260 accrued leave and paid time off, cashed-in leave, cash  
1261 equivalents, severance pay, pension plan accruals and  
1262 contributions, deferred compensation, real property gifts, and  
1263 any other liability owed to such persons. The disclosure must be  
1264 accompanied by a written declaration, as provided for under s.  
1265 92.525(2), from the chief financial officer, or his or her  
1266 designee, that he or she has read the foregoing document and the  
1267 facts stated in it are true. Such information must also be  
1268 published on the local board's website, or the department's  
1269 website if the local board does not maintain a website, for a  
1270 period of 3 years after it is first published.

1271           (14) Each local workforce development board shall annually  
1272 publish its most recent Internal Revenue Service Form 990,  
1273 Return of Organization Exempt from Income Tax, on its website,  
1274 or the department's website if the local board does not maintain  
1275 a website. The form must be posted on the local board's website

1276 within 60 calendar days after it is filed with the Internal  
1277 Revenue Service and remain posted for 3 years after it is filed.

1278 Section 9. Paragraphs (a) and (e) of subsection (8) of  
1279 section 445.009, Florida Statutes, are amended to read:

1280 445.009 One-stop delivery system.—

1281 (8) (a) Individual Training Accounts must be expended on  
1282 programs that prepare people to enter ~~high-wage~~ occupations  
1283 identified by the Labor Market Workforce Estimating Conference  
1284 created by s. 216.136, and on other programs recommended and  
1285 approved by the state board following a review by the department  
1286 to determine the program's compliance with federal law.

1287 (e) Training services provided through Individual Training  
1288 Accounts must be performance-based, with successful job  
1289 placement triggering final full payment of at least 10 percent.

1290 Section 10. Section 445.033, Florida Statutes, is amended  
1291 to read:

1292 445.033 Evaluation.—The department ~~state board~~ and the  
1293 Department of Children and Families shall measure the  
1294 performance of workforce related programs and services for  
1295 participants who receive benefits pursuant to family self-  
1296 sufficiency programs under chapter 414, and participants in  
1297 welfare transition ~~arrange for evaluation of TANF-funded~~  
1298 programs ~~operated~~ under this chapter, as follows:

1299 ~~(1) If required by federal waivers or other federal~~  
1300 ~~requirements, the state board and the department may provide for~~

1301 ~~evaluation according to these requirements.~~

1302 (1)-(2) The state board and the department shall consult  
1303 with local workforce development boards to develop annual  
1304 performance reports that analyze participants' transition from  
1305 public assistance to self-sufficiency, including, but not  
1306 limited to, shall participate in the evaluation of this program  
1307 in conjunction with evaluation of the state's workforce  
1308 development programs or similar activities aimed at evaluating  
1309 program outcomes, cost-effectiveness, ~~or~~ return on investment,  
1310 and coenrollment in these programs, and the impact of time  
1311 limits, sanctions, and other welfare reform measures set out in  
1312 this chapter. Each local board shall, at a minimum, provide  
1313 quarterly reports on the following measures:

1314 (a) The percent of participants working in unsubsidized  
1315 employment.

1316 (b) The percent of participants who stop receiving  
1317 benefits for reasons other than disqualification or sanction.

1318 (c) The number of sanctions and waivers that are granted,  
1319 measured by the type of sanction or waiver and the number of  
1320 completed compliance activities that lead to a restoration of  
1321 benefits.

1322 (d) The median placement wage rate.

1323 (e) The TANF work participation rate, defined as the  
1324 participation requirements specified under Public Law 109-171,  
1325 the Deficit Reduction Act of 2005.

1326        (f) A self-sufficiency index, by county, calculated each  
1327 quarter based on the percent of current or former participants  
1328 who stop receiving benefits or are working 30 or more hours per  
1329 week and at 1 and 2 years after participants stop receiving  
1330 benefits or work 30 or more hours per week. The quarterly report  
1331 must include the percentage of participants earning at or above  
1332 200 percent of the federal poverty level 3 years after  
1333 participants stop receiving benefits or work 30 or more hours  
1334 per week. The quarterly report must also contain an expected  
1335 range of performance for each county on the self-sufficiency  
1336 index. The expected range shall be derived by a statistical  
1337 methodology developed in consultation with the local boards. The  
1338 statistical methodology shall control differences across  
1339 counties in economic conditions and demographics of participants  
1340 in family self-sufficiency programs under chapter 414, and  
1341 welfare transition programs under this chapter. ~~Evaluation shall~~  
1342 ~~also contain information on the number of participants in work~~  
1343 ~~experience assignments who obtain unsubsidized employment,~~  
1344 ~~including, but not limited to, the length of time the~~  
1345 ~~unsubsidized job is retained, wages, and the public benefits, if~~  
1346 ~~any, received by such families while in unsubsidized employment.~~  
1347 ~~The evaluation must solicit the input of consumers, community-~~  
1348 ~~based organizations, service providers, employers, and the~~  
1349 ~~general public, and must publicize, especially in low-income~~  
1350 ~~communities, the process for submitting comments.~~

1351           ~~(2)-(3)~~ The state board and the department shall ~~may~~ share  
1352 information with and develop protocols for information exchange  
1353 with the Florida Education and Training Placement Information  
1354 Program.

1355           ~~(3)-(4)~~ The state board and the department may initiate or  
1356 participate in additional evaluation or assessment activities  
1357 that will further the systematic study of issues related to  
1358 program goals and outcomes.

1359           ~~(4)-(5)~~ In providing for evaluation activities, the state  
1360 board and the department shall safeguard the use or disclosure  
1361 of information obtained from program participants consistent  
1362 with federal or state requirements. Evaluation methodologies may  
1363 be used which are appropriate for evaluation of program  
1364 activities, including random assignment of recipients or  
1365 participants into program groups or control groups. To the  
1366 extent necessary or appropriate, evaluation data shall provide  
1367 information with respect to the state, district, or county, or  
1368 other substate area.

1369           ~~(5)-(6)~~ The state board and the department may contract  
1370 with a qualified organization for evaluations conducted under  
1371 this section.

1372           Section 11. Section 445.038, Florida Statutes, is amended  
1373 to read:

1374           445.038 Digital media; job training.—CareerSource Florida,  
1375 Inc., through the Department of Economic Opportunity, may use

1376 funds dedicated for incumbent worker training for the digital  
1377 media industry. Training may be provided by public or private  
1378 training providers for broadband digital media jobs listed on  
1379 the ~~targeted~~ occupations list developed by the Labor Market  
1380 ~~Workforce Estimating Conference or CareerSource Florida, Inc.~~  
1381 Programs that operate outside the normal semester time periods  
1382 and coordinate the use of industry and public resources should  
1383 be given priority status for funding.

1384 Section 12. Subsection (43) of section 570.07, Florida  
1385 Statutes, is amended to read:

1386 570.07 Department of Agriculture and Consumer Services;  
1387 functions, powers, and duties.—The department shall have and  
1388 exercise the following functions, powers, and duties:

1389 (43) In cooperation with the Institute of Food and  
1390 Agricultural Sciences at the University of Florida and the  
1391 College of Agriculture and Food Sciences at the Florida  
1392 Agricultural and Mechanical University, submit industry  
1393 certifications for farm occupations ~~to annually provide~~ to the  
1394 Credentials Review Committee established in s. 445.004(4) ~~State~~  
1395 ~~Board of Education and the Department of Education information~~  
1396 ~~and industry certifications for farm occupations~~ to be  
1397 considered for placement on the Master Credentials List ~~CAPE~~  
1398 ~~Industry Certification Funding List and the CAPE Postsecondary~~  
1399 ~~Industry Certification Funding List pursuant to s. 1008.44.~~  
1400 ~~Information and industry certifications provided by the~~

1401 ~~department must be based upon the best available~~  
1402 ~~data.~~

1403 Section 13. Paragraph (b) of subsection (5) of section  
1404 1001.706, Florida Statutes, is amended to read:

1405 1001.706 Powers and duties of the Board of Governors.—

1406 (5) POWERS AND DUTIES RELATING TO ACCOUNTABILITY.—

1407 (b) The Board of Governors shall develop a strategic plan  
1408 specifying goals and objectives for the State University System  
1409 and each constituent university, including each university's  
1410 contribution to overall system goals and objectives. The  
1411 strategic plan must:

1412 1. Include performance metrics and standards common for  
1413 all institutions and metrics and standards unique to  
1414 institutions depending on institutional core missions,  
1415 including, but not limited to, student admission requirements,  
1416 retention, graduation, percentage of graduates who have attained  
1417 employment, percentage of graduates enrolled in continued  
1418 education, licensure passage, average wages of employed  
1419 graduates, average cost per graduate, excess hours, student loan  
1420 burden and default rates, faculty awards, total annual research  
1421 expenditures, patents, licenses and royalties, intellectual  
1422 property, startup companies, annual giving, endowments, and  
1423 well-known, highly respected national rankings for institutional  
1424 and program achievements.

1425 2. Consider reports and recommendations of the Florida

1426 Talent Development Council under ~~pursuant to~~ s. 1004.015 and the  
1427 Articulation Coordinating Committee under ~~pursuant to~~ s.  
1428 1007.01.

1429 3. Include student enrollment and performance data  
1430 delineated by method of instruction, including, but not limited  
1431 to, traditional, online, and distance learning instruction.

1432 4. Include criteria for designating baccalaureate degree  
1433 and master's degree programs at specified universities as high-  
1434 demand programs of emphasis. The programs of emphasis list  
1435 adopted by the Board of Governors before July 1, 2021, shall be  
1436 used for the 2021-2022 academic year. Beginning in the 2022-2023  
1437 academic year, the Board of Governors shall adopt the criteria  
1438 to determine value for and prioritization of degree credentials  
1439 and degree programs established by the Credentials Review  
1440 Committee under s. 445.004 for designating ~~Fifty percent of the~~  
1441 ~~criteria for designation as~~ high-demand programs of emphasis.  
1442 The Board of Governors must review designated programs of  
1443 emphasis, at a minimum, every 3 years to ensure alignment with  
1444 the prioritization of degree credentials and degree programs  
1445 identified by the Credentials Review Committee. ~~must be based on~~  
1446 ~~achievement of performance outcome thresholds determined by the~~  
1447 ~~Board of Governors, and 50 percent of the criteria must be based~~  
1448 ~~on achievement of performance outcome thresholds specifically~~  
1449 ~~linked to:~~

1450 a. ~~Job placement in employment of 36 hours or more per~~

1451 ~~week and average full-time wages of graduates of the degree~~  
1452 ~~programs 1 year and 5 years after graduation, based in part on~~  
1453 ~~data provided in the economic security report of employment and~~  
1454 ~~earning outcomes produced annually pursuant to s. 445.07.~~

1455 ~~b. Data-driven gap analyses, conducted by the Board of~~  
1456 ~~Governors, of the state's job market demands and the outlook for~~  
1457 ~~jobs that require a baccalaureate or higher degree. Each state~~  
1458 ~~university must use the gap analyses to identify internship~~  
1459 ~~opportunities for students to benefit from mentorship by~~  
1460 ~~industry experts, earn industry certifications, and become~~  
1461 ~~employed in high-demand fields.~~

1462 Section 14. Subsections (3) and (5) of section 1003.4203,  
1463 Florida Statutes, are amended to read:

1464 1003.4203 Digital materials, CAPE Digital Tool  
1465 certificates, and technical assistance.—

1466 (3) CAPE DIGITAL TOOL CERTIFICATES.—The department shall  
1467 identify, in the CAPE Industry Certification Funding List under  
1468 ss. 1003.492 and 1008.44 ~~by June 15 of each year,~~ CAPE Digital  
1469 Tool certificates that indicate a student's digital skills. The  
1470 department shall notify each school district when the  
1471 certificates are available. The certificates shall be made  
1472 available to all public elementary and middle grades students.

1473 (a) Targeted skills to be mastered for the certificate  
1474 include digital skills that are necessary to the student's  
1475 academic work and skills the student may need in future

1476 employment. ~~The skills must include, but are not limited to,~~  
1477 ~~word processing; spreadsheets; presentations, including sound,~~  
1478 ~~motion, and color presentations; digital arts; cybersecurity;~~  
1479 ~~and coding consistent with CAPE industry certifications that are~~  
1480 ~~listed on the CAPE Industry Certification Funding List, pursuant~~  
1481 ~~to ss. 1003.492 and 1008.44.~~ CAPE Digital Tool certificates  
1482 earned by students are eligible for additional full-time  
1483 equivalent membership under ~~pursuant to~~ s. 1011.62(1)(o)1.a.

1484 (b) The school district shall notify each middle school  
1485 advisory council of the methods of delivery of the open-access  
1486 content and assessments for the certificates. If there is no  
1487 middle school advisory council, notification must be provided to  
1488 the district advisory council.

1489 (c) The Legislature intends that by July 1, 2018, on an  
1490 annual basis, at least 75 percent of public middle grades  
1491 students earn at least one CAPE Digital Tool certificate.

1492 (5) CAPE INNOVATION AND CAPE ACCELERATION.—

1493 (a) CAPE Innovation. ~~Up to five Courses, identified in the~~  
1494 CAPE Industry Certification Funding List, annually approved by  
1495 ~~the commissioner~~ that combine academic and career content, and  
1496 performance outcome expectations that, if achieved by a student,  
1497 shall articulate for college credit and be eligible for  
1498 additional full-time equivalent membership under ~~pursuant to~~ s.  
1499 1011.62(1)(o)1.c. Such approved courses must incorporate at  
1500 least two third-party assessments that, if successfully

1501 completed by a student, shall articulate for college credit. At  
1502 least one of the two third-party assessments must be associated  
1503 with an industry certification that is identified on the CAPE  
1504 Industry Certification Funding List. Each course that is  
1505 approved by the commissioner must be specifically identified in  
1506 the Course Code Directory as a CAPE Innovation Course.

1507 (b) CAPE Acceleration.—Industry certifications, ~~annually~~  
1508 ~~approved by the commissioner,~~ that articulate for 15 or more  
1509 college credit hours and, if successfully completed, are shall  
1510 ~~be~~ eligible for additional full-time equivalent membership under  
1511 ~~pursuant to~~ s. 1011.62(1)(o)1.d. Each approved industry  
1512 certification must be specifically identified in the CAPE  
1513 Industry Certification Funding List as a CAPE Acceleration  
1514 Industry Certification.

1515 Section 15. Paragraphs (a) and (b) of subsection (3) and  
1516 subsection (5) of section 1003.491, Florida Statutes, are  
1517 amended to read:

1518 1003.491 Florida Career and Professional Education Act.—  
1519 The Florida Career and Professional Education Act is created to  
1520 provide a statewide planning partnership between the business  
1521 and education communities in order to attract, expand, and  
1522 retain targeted, high-value industry and to sustain a strong,  
1523 knowledge-based economy.

1524 (3) The strategic 3-year plan developed jointly by the  
1525 local school district, local workforce development boards,

1526 economic development agencies, and state-approved postsecondary  
1527 institutions shall be constructed and based on:

1528 (a) Research conducted to objectively determine local and  
1529 regional workforce needs for the ensuing 3 years, using labor  
1530 projections as identified by the Labor Market Estimating  
1531 Conference created in s. 216.136 of the United States Department  
1532 of Labor and the Department of Economic Opportunity;

1533 (b) Strategies to develop and implement career academies  
1534 or career-themed courses based on occupations identified by the  
1535 Labor Market Estimating Conference created in s. 216.136 ~~those~~  
1536 ~~careers determined to be high-wage, high-skill, and high-demand;~~

1537 (5) (a) The Commissioner of Education shall conduct an  
1538 annual review of K-12 and postsecondary career and technical  
1539 education offerings that, at a minimum, must examine: ~~in~~  
1540 ~~consultation with the Department of Economic Opportunity,~~  
1541 ~~CareerSource Florida, Inc., leaders of business and industry,~~  
1542 ~~the Board of Governors, the Florida College System, school~~  
1543 ~~districts, and other education stakeholders, to determine the~~  
1544 ~~alignment of existing offerings with employer demand,~~  
1545 ~~postsecondary degree or certificate programs, and professional~~  
1546 ~~industry certifications. The review shall identify career and~~  
1547 ~~technical education offerings that are linked~~

1548 1. Alignment of offerings to occupations identified by the  
1549 Labor Market Estimating Conference created in s. 216.136 ~~that~~  
1550 ~~are in high demand by employers, require high-level skills, and~~

1551 ~~provide middle-level and high-level wages.~~

1552 2. Alignment of offerings with the framework of quality  
1553 under s. 445.004(4).

1554 3. Alignment of offerings with certificate or degree  
1555 programs offered at the K-12 and postsecondary levels.

1556 4. Inclusion of offerings on the Master Credentials List  
1557 under s. 445.004(4).

1558 5. Program utilization and unwarranted duplication across  
1559 institutions serving the same students in a geographical or  
1560 service area.

1561 6. Institutional performance measured by student outcomes  
1562 such as academic achievement, college readiness, postsecondary  
1563 enrollment, credential and certification attainment, job  
1564 placement, and wages.

1565 (b) The annual review shall utilize data captured through  
1566 the Workforce Development Information System under s. 1008.40  
1567 and provide an automated data collection process that includes  
1568 the collection and evaluation of the federal Comprehensive Local  
1569 Needs Assessments, to assist in the review of programs.

1570 (c) ~~(b)~~ Using the findings from the annual review required  
1571 in paragraphs (a) and (b) ~~paragraph (a)~~, the commissioner shall  
1572 phase out career and technical education offerings that are not  
1573 aligned with the needs of the state ~~employers or do not provide~~  
1574 ~~program completers with a middle-wage or high-wage occupation~~  
1575 and encourage school districts and Florida College System

1576 institutions to offer programs that are not offered currently.

1577 (d) The department shall adopt rules to administer this  
1578 section.

1579 Section 16. Subsections (2) through (5) of section  
1580 1003.492, Florida Statutes, are amended to read:

1581 1003.492 Industry-certified career education programs.—

1582 (2) Industry certification as used in this section is a  
1583 voluntary process through which students are assessed by an  
1584 independent, third-party certifying entity using predetermined  
1585 standards for knowledge, skills, and competencies, resulting in  
1586 the award of a credential that is identified on the Master  
1587 Credentials List under s. 445.004(4). ~~nationally recognized and~~  
1588 ~~must be at least one of the following:~~

1589 ~~(a) Within an industry that addresses a critical local or~~  
1590 ~~statewide economic need;~~

1591 ~~(b) Linked to an occupation that is included in the~~  
1592 ~~workforce system's targeted occupation list; or~~

1593 ~~(c) Linked to an occupation that is identified as~~  
1594 ~~emerging.~~

1595 ~~(3) The State Board of Education shall use the expertise~~  
1596 ~~of CareerSource Florida, Inc., and the Department of Agriculture~~  
1597 ~~and Consumer Services to develop and adopt rules pursuant to ss.~~  
1598 ~~120.536(1) and 120.54 for implementing an industry certification~~  
1599 ~~process.~~

1600 ~~(a) For nonfarm occupations, industry certification must~~

1601 ~~be based upon the highest available national standards for~~  
1602 ~~specific industry certification to ensure student skill~~  
1603 ~~proficiency and to address emerging labor market and industry~~  
1604 ~~trends. A local workforce development board or a school~~  
1605 ~~principal may apply to CareerSource Florida, Inc., to request~~  
1606 ~~additions to the approved list of industry certifications based~~  
1607 ~~on high-skill, high-wage, and high-demand job requirements in~~  
1608 ~~the local economy.~~

1609 ~~(b) For farm occupations submitted pursuant to s. 570.07,~~  
1610 ~~industry certification must demonstrate student skill~~  
1611 ~~proficiency and be based upon the best available data to address~~  
1612 ~~critical local or statewide economic needs.~~

1613 ~~(4) The list of industry certifications approved by~~  
1614 ~~CareerSource Florida, Inc., the Department of Agriculture and~~  
1615 ~~Consumer Services, and the Department of Education shall be~~  
1616 ~~published and updated annually by a date certain, to be included~~  
1617 ~~in the adopted rule.~~

1618 ~~(3)(5)~~ The Department of Education shall collect student  
1619 achievement and performance data in industry-certified career  
1620 education programs and career-themed courses that includes and  
1621 ~~shall work with CareerSource Florida, Inc., and the Department~~  
1622 ~~of Agriculture and Consumer Services in the analysis of~~  
1623 ~~collected data. The data collection and analyses shall examine~~  
1624 ~~the performance of participating students over time. Performance~~  
1625 ~~factors must include, but need not be limited to, graduation~~

1626 rates, retention rates, Florida Bright Futures Scholarship  
1627 awards, additional educational attainment, employment records,  
1628 earnings, industry certification, return on investment, and  
1629 employer satisfaction. ~~The results of this study shall be~~  
1630 ~~submitted to the President of the Senate and the Speaker of the~~  
1631 ~~House of Representatives annually by December 31.~~

1632 Section 17. Paragraph (a) of subsection (2) and subsection  
1633 (3) of section 1003.4935, Florida Statutes, are amended to read:

1634 1003.4935 Middle grades career and professional academy  
1635 courses and career-themed courses.—

1636 (2) Each middle grades career and professional academy or  
1637 career-themed course must be aligned with at least one high  
1638 school career and professional academy or career-themed course  
1639 offered in the district and maintain partnerships with local  
1640 business and industry and economic development boards. Middle  
1641 grades career and professional academies and career-themed  
1642 courses must:

1643 (a) Lead to careers in occupations aligned to ~~designated~~  
1644 ~~as high-skill, high-wage, and high-demand in~~ the CAPE Industry  
1645 Certification Funding List approved under rules adopted by the  
1646 State Board of Education;

1647 (3) Beginning with the 2012-2013 school year, if a school  
1648 district implements a middle school career and professional  
1649 academy or a career-themed course, the Department of Education  
1650 shall collect and report student achievement data pursuant to

1651 performance factors identified under s. 1003.492(3) ~~s.~~  
1652 ~~1003.492(5)~~ for students enrolled in an academy or a career-  
1653 themed course.

1654 Section 18. Subsection (3) is added to section 1004.013,  
1655 Florida Statutes, to read:

1656 1004.013 SAIL to 60 Initiative.-

1657 (3) There is created within the SAIL to 60 Initiative the  
1658 Strategic Efforts to Achieve Self-Sufficiency (SEAS) which  
1659 consists of:

1660 (a) The workforce opportunity portal under s. 14.36, which  
1661 provides the public with more effective access to available  
1662 federal, state, and local services and a system-wide, global  
1663 view of workforce related program data across various programs  
1664 through actionable qualitative and quantitative information.

1665 (b) The Open Door Grant Program under s. 1009.895, which  
1666 provides grants to school district's postsecondary technical  
1667 centers and Florida College System institutions to cover up to  
1668 two-thirds of the cost of short-term high-demand programs for  
1669 eligible students upon successful completion and award of a  
1670 credential of value.

1671 (c) The Money-Back Guarantee Program under s. 1011.803,  
1672 which requires each school district and Florida College System  
1673 institution to refund the cost of tuition to students who are  
1674 not able to find a job within 6 months of successful completion  
1675 of select workforce related programs.

1676 Section 19. Subsection (6) is added to section 1004.015,  
1677 Florida Statutes, to read:

1678 1004.015 Florida Talent Development Council.—

1679 (6) The council shall coordinate, facilitate, and  
1680 communicate statewide efforts to meet supply and demand needs  
1681 for the state's healthcare workforce. Initially, the council  
1682 shall focus on the nursing supply and demand and annually,  
1683 beginning December 1, 2021, report on the implementation of this  
1684 subsection and any other relevant information on the Florida  
1685 Talent Developmental Council's webpage located on the Department  
1686 of Economic Opportunity's website. To support the efforts of the  
1687 council, the Board of Governors and the State Board of Education  
1688 shall:

1689 (a) By December 1, 2021, conduct a statistically valid  
1690 biennial data-driven gap analysis of the nursing supply and  
1691 demand, including, but not limited to, teaching faculty and  
1692 preceptors. Demand must align with the Labor Market Estimating  
1693 Conference created in s. 216.136. The gap analysis must include  
1694 10-year trend information on nursing education programs subject  
1695 to the requirements of s. 464.019. In order to conduct the gap  
1696 analysis, the Department of Health, the Board of Governors, the  
1697 State Board of Education, the Commission for Independent  
1698 Education, and postsecondary institutions participating in a  
1699 state grant program under s. 1009.89 or s. 1009.891, shall  
1700 provide data on:

- 1701        1. The number and type of programs and student slots  
1702 available.
- 1703        2. The number of student applications submitted, the  
1704 number of qualified student applicants, and the number of  
1705 students accepted.
- 1706        3. The number of program graduates.
- 1707        4. Program retention rates of students tracked from  
1708 program entry to graduation.
- 1709        5. Graduate passage rates on the National Council of State  
1710 Boards of Nursing Licensing Examination.
- 1711        6. The number of graduates who become employed as  
1712 practical or professional nurses in the state.
- 1713        (b) Develop a survey for use by the Department of Health,  
1714 the Commission for Independent Education, and postsecondary  
1715 institutions participating in a state grant program under s.  
1716 1009.89 or s. 1009.891, to collect data for the gap analysis.  
1717 The survey must include, but is not limited to, a student's age,  
1718 gender, race, ethnicity, veteran status, wage, employer  
1719 information, loan debt, and retirement expectations.
- 1720        (c) Conduct a review of nursing education program  
1721 curricula to improve alignment, streamline career pathways, and  
1722 develop frameworks for colocated and concurrent enrollment  
1723 nursing education programs which can be implemented statewide.
- 1724        (d) Report on the establishment of accelerated programs  
1725 for bachelor of science in nursing and masters of science in

1726 nursing, and implementation of other strategies to address the  
1727 demand for nurses in the state.

1728 (e) Map educational advancement of nurses through career  
1729 pathways by comparing their initial degree to their highest  
1730 degree obtained for the preceding 5 years.

1731 Section 20. Subsection (2) of section 1008.39, Florida  
1732 Statutes, is amended to read:

1733 1008.39 Florida Education and Training Placement  
1734 Information Program. -

1735 (2) Any project conducted by the Department of Education  
1736 or the workforce development system that requires placement  
1737 information shall use information provided through the Florida  
1738 Education and Training Placement Information Program, and shall  
1739 not initiate automated matching of records in duplication of  
1740 methods already in place in the Florida Education and Training  
1741 Placement Information Program. The department shall implement an  
1742 automated system which matches the social security numbers of  
1743 former participants in workforce related programs as defined in  
1744 s. 14.36 and state educational and training programs with  
1745 information in the files of state and federal agencies that  
1746 maintain educational, employment, and United States armed  
1747 service records and shall implement procedures to identify the  
1748 occupations of those former participants whose social security  
1749 numbers are found in employment records, as required by Specific  
1750 Appropriation 337A, chapter 84-220, Laws of Florida; Specific

1751 Appropriation 337B, chapter 85-119, Laws of Florida; Specific  
1752 Appropriation 350A, chapter 86-167, Laws of Florida; and  
1753 Specific Appropriation 351, chapter 87-98, Laws of Florida. The  
1754 system shall incorporate data collection elements prescribed by  
1755 the Credentials Review Committee under s. 445.004.

1756 Section 21. Section 1008.40, Florida Statutes, is amended  
1757 to read:

1758 1008.40 Workforce Development Information System.—The  
1759 Department of Education shall:

1760 (1) Design specifications for the collection and reporting  
1761 of data and performance specifications for the Workforce  
1762 Development Information System. This design must:

1763 (a) Use common terms and enable parallel reporting and  
1764 state-level access of workforce data necessary to use the data  
1765 reports as a basis for calculating funding allocations,  
1766 conducting audits, and determining compliance of workforce  
1767 related programs, as defined in s. 14.36, and education and  
1768 training programs with applicable federal and state requirements  
1769 as authorized by federal and state law. This includes  
1770 establishing a process for the collection, review, and reporting  
1771 of Comprehensive Local Needs Assessments as required by federal  
1772 law.

1773 (b) Provide ~~In addition, the design must be capable of~~  
1774 ~~providing~~ reports necessary to comply with other program  
1775 performance documentation required by state or federal law,

1776 without requiring additional data collection or reporting from  
1777 local educational agencies.

1778 (c) Link data from multiple sources for consideration in  
1779 developing broad public policy initiatives for workforce related  
1780 programs as defined in s. 14.36.

1781 (2) Develop the computer programs, software, and edit  
1782 processes necessary for local and state users to produce a  
1783 single, unified Workforce Development Information System.

1784 (3) Work with the Department of Economic Opportunity, the  
1785 Department of Children and Families, and other entities to  
1786 define statewide education, workforce development, and  
1787 employment metrics and ensure the integrity and quality of data  
1788 being collected.

1789 (4) Develop a workforce development metrics dashboard that  
1790 measures the state's investments in workforce development. To  
1791 the extent feasible, the dashboard shall use statistically  
1792 rigorous methodologies to estimate, assess, and isolate the  
1793 impact of programs on participant outcomes. The workforce  
1794 development metrics dashboard shall be produced, to the extent  
1795 feasible, using existing available data and resources that are  
1796 currently collected and accessible to state agencies. The  
1797 department shall convene workforce related program partners to  
1798 develop a standardized set of inputs and outputs for the  
1799 workforce development metrics dashboard. The workforce  
1800 development metrics dashboard must:

1801        (a) Display the impact of workforce related programs, as  
1802 defined in s. 14.36, on credential attainment, training  
1803 completion, degree attainment, and participant wages.

1804        (b) Provide demographic breakdowns, including, to the  
1805 extent possible, race, ethnicity, age, gender, veteran status,  
1806 wage, student loan debt, barriers to employment, and credential  
1807 or degree outcomes, and information on workforce outcomes in  
1808 different industry sectors.

1809        (c) Measure, at a minimum and to the extent feasible with  
1810 existing resources, the return on investment of the following  
1811 workforce related programs:

1812            1. Career and technical education offered by school  
1813 districts and Florida College System institutions.

1814            2. Workforce related programs as defined in s. 14.36.

1815            3. State apprenticeship programs.

1816        (d) Provide performance data on training providers to  
1817 enable individuals to make informed choices.

1818        Section 22. Subsection (3) of section 1008.41, Florida  
1819 Statutes, is amended to read:

1820            1008.41 Workforce education; management information  
1821 system.—

1822            (3) Planning and evaluation of job-preparatory programs  
1823 shall be based on standard sources of data and use standard  
1824 occupational definitions and coding structures, including, but  
1825 not limited to:

1826 (a) The Florida Occupational Information System.~~†~~  
1827 (b) The Florida Education and Training Placement  
1828 Information Program.~~†~~  
1829 (c) The Department of Economic Opportunity.~~†~~  
1830 (d) The United States Department of Labor.~~†~~ and  
1831 (e) The Labor Market Estimating Conference created in s.  
1832 216.136.  
1833 (f)(e) Other sources of data developed using statistically  
1834 valid procedures.  
1835 Section 23. Subsections (1) and (2) and paragraph (c) of  
1836 subsection (4) of section 1008.44, Florida Statutes, are amended  
1837 to read:  
1838 1008.44 CAPE Industry Certification Funding List ~~and CAPE~~  
1839 ~~Postsecondary Industry Certification Funding List.~~-  
1840 (1) The State Board of Education Pursuant to ss. 1003.4203  
1841 ~~and 1003.492, the Department of Education shall adopt,~~ at least  
1842 annually, based upon recommendations by the Commissioner of  
1843 Education the CAPE Industry Certification Funding List that  
1844 assigns additional full-time equivalent membership to  
1845 certifications identified in the Master Credentials List under  
1846 s. 445.004(4) that meets a statewide demand, and courses that  
1847 lead to such certifications, in accordance with s.  
1848 1011.62(1)(o). identify, under rules adopted by the State Board  
1849 ~~of Education, and the Commissioner of Education may at any time~~  
1850 ~~recommend adding~~ The CAPE Industry Certification Funding List

1851 may include the following certificates, certifications, and  
1852 courses:

1853 (a) CAPE industry certifications identified as credentials  
1854 of value that meet the framework of quality under ~~pursuant to s.~~  
1855 445.004(4), on the CAPE Industry Certification Funding List that  
1856 must be applied in the distribution of funding to school  
1857 districts under ~~pursuant to~~ s. 1011.62(1)(o). The CAPE Industry  
1858 Certification Funding List shall incorporate by reference the  
1859 industry certifications on the career pathways list approved for  
1860 the Florida Gold Seal CAPE Vocational Scholars award. ~~In~~  
1861 ~~addition, by August 1 of each year, the not-for-profit~~  
1862 ~~corporation established pursuant to s. 445.004 may annually~~  
1863 ~~select one industry certification, that does not articulate for~~  
1864 ~~college credit, for inclusion on the CAPE Industry Certification~~  
1865 ~~Funding List for a period of 3 years unless otherwise approved~~  
1866 ~~by the curriculum review committee pursuant to s. 1003.491. Such~~  
1867 ~~industry certifications, if earned by a student, shall be~~  
1868 ~~eligible for additional full-time equivalent membership,~~  
1869 ~~pursuant to s. 1011.62(1)(o)1.~~

1870 (b) ~~No more than 30~~ CAPE Digital Tool certificates under  
1871 ~~limited to the areas of word processing; spreadsheets; sound,~~  
1872 ~~motion, and color presentations; digital arts; cybersecurity;~~  
1873 ~~and coding pursuant to s. 1003.4203(3) that do not articulate~~  
1874 ~~for college credit. Such certificates shall be annually~~  
1875 ~~identified on the CAPE Industry Certification Funding List and~~

1876 ~~updated solely by the Chancellor of Career and Adult Education.~~  
1877 The certificates shall be made available to students in  
1878 elementary school and middle school grades and, if earned by a  
1879 student, shall be eligible for additional full-time equivalent  
1880 membership under ~~pursuant to~~ s. 1011.62(1)(o)1.

1881 (c) CAPE ESE Digital Tool certificates, workplace industry  
1882 certifications, and OSHA industry certifications ~~identified by~~  
1883 ~~the Chancellor of Career and Adult Education~~ for students with  
1884 disabilities under ~~pursuant to~~ s. 1003.4203(2). Such  
1885 certificates and certifications shall ~~be identified on the CAPE~~  
1886 ~~Industry Certification Funding List and~~, if earned by a student,  
1887 be eligible for additional full-time equivalent membership under  
1888 ~~pursuant to~~ s. 1011.62(1)(o)1.

1889 (d) CAPE Innovation Courses that combine academic and  
1890 career performance outcomes with embedded industry  
1891 certifications under ~~shall be annually approved by the~~  
1892 ~~Commissioner of Education and identified pursuant to~~ s.  
1893 1003.4203(5)(a). Such courses shall ~~and~~, if completed by a  
1894 student, be eligible for additional full-time equivalent  
1895 membership under ~~pursuant to~~ s. 1011.62(1)(o)1.

1896 (e) CAPE Acceleration Industry Certifications that  
1897 articulate for 15 or more college credit hours under ~~pursuant to~~  
1898 s. 1003.4203(5)(b). Such certifications shall ~~be annually~~  
1899 ~~approved by the Commissioner of Education and~~, if successfully  
1900 completed, shall be eligible for additional full-time equivalent

1901 membership under ~~pursuant to~~ s. 1011.62(1)(o)1. ~~The approved~~  
1902 ~~industry certifications must be identified on the CAPE Industry~~  
1903 ~~Certification Funding List.~~

1904 (f) The Commissioner of Education shall conduct a review  
1905 of the methodology used to determine additional full-time  
1906 equivalent membership weights assigned in s. 1011.62(1)(o) and,  
1907 if necessary, recommend revised weights. The weights must factor  
1908 in the prioritization of critical statewide shortages of labor  
1909 market demand as identified by the Credentials Review Committee  
1910 under s. 445.004. The results of the review and the  
1911 commissioner's recommendations must be submitted to the  
1912 Governor, the President of the Senate, and the Speaker of the  
1913 House of Representatives no later than December 1, 2021.

1914 ~~(2) The State Board of Education shall approve, at least~~  
1915 ~~annually, the CAPE Postsecondary Industry Certification Funding~~  
1916 ~~List pursuant to this section. The Commissioner of Education~~  
1917 ~~shall recommend, at least annually, the CAPE Postsecondary~~  
1918 ~~Industry Certification Funding List to the State Board of~~  
1919 ~~Education and may at any time recommend adding certifications.~~  
1920 ~~The Chancellor of the State University System, the Chancellor of~~  
1921 ~~the Florida College System, and the Chancellor of Career and~~  
1922 ~~Adult Education shall work with local workforce boards, other~~  
1923 ~~postsecondary institutions, businesses, and industry to~~  
1924 ~~identify, create, and recommend to the Commissioner of Education~~  
1925 ~~industry certifications to be placed on the funding list. The~~

1926 CAPE Industry Certification Funding List adopted under  
1927 subsection (1) list shall be used to determine annual  
1928 performance funding distributions to school districts or Florida  
1929 College System institutions as specified in ss. 1011.80 and  
1930 1011.81, respectively. ~~The chancellors shall review results of~~  
1931 ~~the economic security report of employment and earning outcomes~~  
1932 ~~produced annually pursuant to s. 445.07 when determining~~  
1933 ~~recommended certifications for the list, as well as other~~  
1934 ~~reports and indicators available regarding certification needs.~~

1935 (4)

1936 (c) The Articulation Coordinating Committee shall review  
1937 statewide articulation agreement proposals for industry  
1938 certifications and make recommendations to the State Board of  
1939 Education for approval. After an industry certification is  
1940 approved by CareerSource Florida, Inc., under s. 445.004(4)  
1941 ~~adopted by the State Board of Education for inclusion on the~~  
1942 ~~CAPE Industry Certification Funding List~~, the Chancellor of  
1943 Career and Adult Education, within 90 days, must provide to the  
1944 Articulation Coordinating Committee recommendations for  
1945 articulation of postsecondary credit for related degrees for the  
1946 approved certifications.

1947 Section 24. Section 1009.895, Florida Statutes, is created  
1948 to read:

1949 1009.895 Open Door Grant Program.—

1950 (1) As used in this section, the term:

1951           (a) "Institution" means school district postsecondary  
1952 technical career centers under s. 1001.44, Florida College  
1953 System institutions under s. 1000.21(3), and charter technical  
1954 career centers under s. 1002.34.

1955           (b) "Program" means a noncredit industry certification  
1956 preparation, clock hour career certificate programs, or for-  
1957 credit short-term career and technical education programs that  
1958 result in the award of credentials identified under s.  
1959 445.004(4).

1960           (c) "Student" means a person who is a resident of this  
1961 state as determined in s. 1009.40 and is unemployed,  
1962 underemployed, or furloughed.

1963           (2) Subject to appropriations, the Open Door Grant Program  
1964 is established for the purpose of:

1965           (a) Creating and sustaining a demand-driven supply of  
1966 credentialed workers for high-demand occupations by addressing  
1967 and closing the gap between the skills needed by workers in the  
1968 state and the skills of the available workforce in the state.

1969           (b) Expanding the affordability of workforce training and  
1970 credentialing.

1971           (c) Increasing the interest of current and future workers  
1972 in short-term, high-demand career and technical education  
1973 credentialing and certificate programs.

1974           (3) The Department of Education shall provide grants to  
1975 institutions on a first-come, first-serve basis for students who

1976 enroll in an eligible program. No more than one-quarter of the  
1977 appropriated funds may be disbursed annually to any eligible  
1978 institution.

1979 (4) Subject to the availability of funds, any student who  
1980 enrolls in an eligible program offered by an institution may  
1981 apply for and be awarded a grant to cover two-thirds of the cost  
1982 of the program, if at the time of enrollment the student pays  
1983 one-third of the cost of the program and signs an agreement to  
1984 either complete the program or pay an additional one-third of  
1985 the program cost in the event of noncompletion. Upon the  
1986 presentation of satisfactory proof of completion of the program  
1987 by the student, the department shall reimburse the institution  
1988 in an amount equal to one-third of the cost of the program. In  
1989 addition, upon the presentation of satisfactory proof of the  
1990 attainment of a workforce credential or certificate by the  
1991 student, the department shall reimburse the institution in an  
1992 amount equal to one-third of the cost of the program. However,  
1993 the department may not reimburse any institution more than  
1994 \$3,000 per completed workforce training program by an eligible  
1995 student.

1996 (5) Grants may not be reduced by a student's concurrent  
1997 receipt of financial aid from any other source except in cases  
1998 in which the grant and such other financial aid would result in  
1999 total assistance in excess of tuition, fees, books, and other  
2000 allowable costs of completing the workforce related program.

2001           (6) The department shall administer the grant and shall  
2002 carry out the goals and purposes of the grant set forth in  
2003 subsection (2). In administering the grant, the department  
2004 shall:

2005           (a) Require eligible institutions to provide student-  
2006 specific data and make final decisions on any dispute between  
2007 eligible institutions and grant recipients.

2008           (b) Undertake periodic assessments of the overall success  
2009 of the grant program and recommend modifications, interventions,  
2010 and other actions based on such assessments.

2011           (c) Establish the procedure by which eligible institutions  
2012 shall notify the department when eligible students enroll in  
2013 eligible programs.

2014           (d) Require each eligible institution to submit a report  
2015 with data from the previous fiscal year on program completion  
2016 and credential attainment by students participating in the grant  
2017 program that, at a minimum, includes:

2018           1. A list of the programs offered.

2019           2. The number of students who enrolled in the programs.

2020           3. The number of students who completed the programs.

2021           4. The number of students who attained workforce  
2022 credentials, categorized by credential name and relevant  
2023 occupation, after completing training programs.

2024           5. The average cost per workforce credential attained,  
2025 categorized by credential name and relevant occupation.

2026           (7) The department shall compile the data provided under  
2027 paragraph (6)(d) and annually report such data, in the aggregate  
2028 and categorize such information by eligible institution, to the  
2029 State Board of Education. The report shall also include  
2030 information on the average wage, age, gender, race, ethnicity,  
2031 veteran status, and other relevant information, of students who  
2032 have completed workforce training programs categorized by  
2033 credential name and relevant occupation.

2034           (8) The State Board of Education shall adopt rules to  
2035 implement this section.

2036           Section 25. Subsections (10), (11), and (12), of section  
2037 1011.80, Florida Statutes, are renumbered as subsections (9),  
2038 (10), and (11), respectively, and subsection (2), paragraph (b)  
2039 of subsection (7), and subsection (9) of that section are  
2040 amended, to read:

2041           1011.80 Funds for operation of workforce education  
2042 programs.—

2043           (2) Upon approval by the State Board of Education, any  
2044 workforce education program may be conducted by a Florida  
2045 College System institution or a school district, except that  
2046 college credit in an associate in applied science or an  
2047 associate in science degree may be awarded only by a Florida  
2048 College System institution. However, if an associate in applied  
2049 science or an associate in science degree program contains  
2050 within it an occupational completion point that confers a

2051 certificate or an applied technology diploma, that portion of  
2052 the program may be conducted by a school district career center.  
2053 Any instruction designed to articulate to a degree program is  
2054 subject to guidelines and standards adopted by the State Board  
2055 of Education under ~~pursuant to~~ s. 1007.25.

2056 (a) The State Board of Education shall establish criteria  
2057 for review and approval of new workforce education programs by a  
2058 Florida College System institution or a school district that  
2059 considers local demand as well as local program offerings at  
2060 public and private institutions to avoid wasteful duplication of  
2061 programs. Priority shall be given to institutions that have  
2062 implemented the money-back-guarantee program in excess of the  
2063 minimum number of programs required by s. 1011.803. The criteria  
2064 must include, but is not limited to, the following:

2065 1. A notice of intent to propose a new workforce education  
2066 program that includes all of the following:

2067 a. A brief description of the program.

2068 b. An analysis of workforce demand and unmet need for  
2069 graduates of the program on a district, regional, or statewide  
2070 basis, as appropriate, including evidence from entities  
2071 independent of the technical center or institution.

2072 c. The geographic region to be served.

2073 d. An estimated timeframe for implementation.

2074 2. Documentation of collaboration among technical centers  
2075 and institutions serving the same students in a geographical or

2076 service area that enhances program offerings and prevents  
2077 program duplication. Unnecessary duplication of programs offered  
2078 by public and private institutions must be avoided.

2079 3. Articulation agreements between technical centers and  
2080 Florida College System institutions for the enrollment of  
2081 graduates in related workforce education programs.

2082 4. Documentation of alignment between the exit  
2083 requirements of a technical center and the admissions  
2084 requirements of a Florida College System institution into which  
2085 students typically transfer.

2086 5. Performance and compliance indicators that will be used  
2087 in determining the program's success.

2088 (b) The State Board of Education, upon review of the  
2089 workforce education program, may require a school district  
2090 postsecondary technical career center, charter technical career  
2091 center, or Florida College System institution, to modify or  
2092 terminate a program authorized under this section.

2093 (7)

2094 (b) Performance funding for industry certifications for  
2095 school district workforce education programs is contingent upon  
2096 specific appropriation in the General Appropriations Act and  
2097 shall be determined as follows:

2098 ~~1. Occupational areas for which industry certifications~~  
2099 ~~may be earned, as established in the General Appropriations Act,~~  
2100 ~~are eligible for performance funding. Priority shall be given to~~

2101 ~~the occupational areas emphasized in state, national, or~~  
2102 ~~corporate grants provided to Florida educational institutions.~~

2103 ~~1.2. The Chancellor of Career and Adult Education shall~~  
2104 ~~identify the Industry certifications identified eligible for~~  
2105 ~~funding on the CAPE Postsecondary Industry Certification Funding~~  
2106 ~~List approved by the State Board of Education under pursuant to~~  
2107 ~~s. 1008.44, are eligible for performance funding based on the~~  
2108 ~~occupational areas specified in the General Appropriations Act.~~

2109 ~~2.3. Each school district shall be provided \$1,000 for~~  
2110 ~~each industry certification earned by a workforce education~~  
2111 ~~student. If funds are insufficient to fully fund the calculated~~  
2112 ~~total award, such funds shall be prorated. Beginning with the~~  
2113 ~~2022-2023 fiscal year, the Credentials Review Committee~~  
2114 ~~established in s. 445.004 shall develop a returned-value funding~~  
2115 ~~formula to allocate school district performance funds that~~  
2116 ~~rewards student job placements and wages for students earning~~  
2117 ~~industry certifications. One-third of the performance funds~~  
2118 ~~shall be allocated based on student job placements. The~~  
2119 ~~remaining two-thirds shall be allocated using a three tiered~~  
2120 ~~weighted system based on aggregate student wages that exceed~~  
2121 ~~minimum wage with the highest weight applied to the highest wage~~  
2122 ~~tier. Student wages above minimum wage are considered to be the~~  
2123 ~~value added by the institution's training.~~

2124 ~~(9) The State Board of Education and the state board as~~  
2125 ~~defined in s. 445.002 shall provide the Legislature with~~

2126 ~~recommended formulas, criteria, timeframes, and mechanisms for~~  
2127 ~~distributing performance funds. The commissioner shall~~  
2128 ~~consolidate the recommendations and develop a consensus proposal~~  
2129 ~~for funding. The Legislature shall adopt a formula and~~  
2130 ~~distribute the performance funds to the State Board of Education~~  
2131 ~~for Florida College System institutions and school districts~~  
2132 ~~through the General Appropriations Act. These recommendations~~  
2133 ~~shall be based on formulas that would discourage low-performing~~  
2134 ~~or low-demand programs and encourage through performance-funding~~  
2135 ~~awards:~~

2136 ~~(a) Programs that prepare people to enter high-wage~~  
2137 ~~occupations identified by the Workforce Estimating Conference~~  
2138 ~~created by s. 216.136 and other programs as approved by the~~  
2139 ~~state board as defined in s. 445.002. At a minimum, performance~~  
2140 ~~incentives shall be calculated for adults who reach completion~~  
2141 ~~points or complete programs that lead to specified high-wage~~  
2142 ~~employment and to their placement in that employment.~~

2143 ~~(b) Programs that successfully prepare adults who are~~  
2144 ~~eligible for public assistance, economically disadvantaged,~~  
2145 ~~disabled, not proficient in English, or dislocated workers for~~  
2146 ~~high-wage occupations. At a minimum, performance incentives~~  
2147 ~~shall be calculated at an enhanced value for the completion of~~  
2148 ~~adults identified in this paragraph and job placement of such~~  
2149 ~~adults upon completion. In addition, adjustments may be made in~~  
2150 ~~payments for job placements for areas of high unemployment.~~

2151 ~~(c) Programs that are specifically designed to be~~  
2152 ~~consistent with the workforce needs of private enterprise and~~  
2153 ~~regional economic development strategies, as defined in~~  
2154 ~~guidelines set by the state board as defined in s. 445.002. The~~  
2155 ~~state board as defined in s. 445.002 shall develop guidelines to~~  
2156 ~~identify such needs and strategies based on localized research~~  
2157 ~~of private employers and economic development practitioners.~~

2158 ~~(d) Programs identified by the state board as defined in~~  
2159 ~~s. 445.002 as increasing the effectiveness and cost efficiency~~  
2160 ~~of education.~~

2161 Section 26. Subsection (3) of section 1011.801, Florida  
2162 Statutes, is amended to read:

2163 1011.801 Workforce Development Capitalization Incentive  
2164 Grant Program.—The Legislature recognizes that the need for  
2165 school districts and Florida College System institutions to be  
2166 able to respond to emerging local or statewide economic  
2167 development needs is critical to the workforce development  
2168 system. The Workforce Development Capitalization Incentive Grant  
2169 Program is created to provide grants to school districts and  
2170 Florida College System institutions on a competitive basis to  
2171 fund some or all of the costs associated with the creation or  
2172 expansion of workforce development programs that serve specific  
2173 employment workforce needs.

2174 (3) The State Board of Education shall give highest  
2175 priority to programs that train people to enter high-skill,

2176 high-wage occupations identified by the Labor Market Workforce  
2177 Estimating Conference and other programs approved by the state  
2178 board as defined in s. 445.002, programs that train people to  
2179 enter occupations under the welfare transition program, or  
2180 programs that train for the workforce adults who are eligible  
2181 for public assistance, economically disadvantaged, disabled, not  
2182 proficient in English, or dislocated workers. The State Board of  
2183 Education shall consider the statewide geographic dispersion of  
2184 grant funds in ranking the applications and shall give priority  
2185 to applications from education agencies that are making maximum  
2186 use of their workforce development funding by offering high-  
2187 performing, high-demand programs.

2188 Section 27. Subsection (4) of section 1011.802, Florida  
2189 Statutes, is renumbered as subsection (5), subsection (3) of  
2190 that section is amended, and a new subsection (4) is added to  
2191 that section, to read:

2192 1011.802 Florida Pathways to Career Opportunities Grant  
2193 Program.—

2194 (3)(a) The department shall award grants for  
2195 preapprenticeship or ~~give priority to~~ apprenticeship programs  
2196 with demonstrated regional demand that:

2197 1. Address a critical statewide or regional shortage as  
2198 identified by the Labor Market Estimating Conference created in  
2199 s. 216.136 and that are industry sectors not adequately  
2200 represented throughout the state, such as health care;

2201           2. Address a critical statewide or regional shortage as  
2202 identified by the Labor Market Estimating Conference created in  
2203 s. 216.136; or

2204           3. Expand existing programs that exceed the median  
2205 completion rate and employment rate 1 year after completion of  
2206 similar programs in the region, or the state if there are no  
2207 similar programs in the region.

2208           (b) Grant funds may be used for instructional equipment,  
2209 supplies, personnel, student services, and other expenses  
2210 associated with the creation or expansion of an apprenticeship  
2211 program. Grant funds may not be used for recurring instructional  
2212 costs or for indirect costs. Grant recipients must submit  
2213 quarterly reports in a format prescribed by the department.

2214           (4) The department shall annually report on its website:

2215           (a) The number of programs funded and represented  
2216 throughout the state under this section.

2217           (b) Retention, completion, and employment rates,  
2218 categorized by program and provider.

2219           (c) Starting and ending salaries, as categorized by  
2220 program and provider, for participants who complete the program.

2221           (5)-(4) The State Board of Education shall ~~may~~ adopt rules  
2222 to administer this section.

2223           Section 28. Section 1011.803, Florida Statutes, is created  
2224 to read:

2225           1011.803 Money-back Guarantee Program.—

2226           (1) The Money-back Guarantee Program is established to  
2227 help individuals achieve self-sufficiency by requiring each  
2228 school district and Florida College System institution to refund  
2229 the cost of tuition to students who are not able to find a job  
2230 in the field in which the student was trained within 6 months of  
2231 successful completion of select workforce education programs  
2232 that prepare students for in-demand, high-skill, high-wage  
2233 occupations.

2234           (2) Beginning in the 2022-2023 academic year, each school  
2235 district and Florida College System institution shall establish  
2236 a money-back guarantee program to:

2237           (a) Offer a money-back guarantee on at least four programs  
2238 that prepare individuals to enter in-demand, high-skill, high-  
2239 wage occupations identified by the Labor Market Estimating  
2240 Conference created in s. 216.136. School district or Florida  
2241 College System institutions must offer a money-back guarantee on  
2242 at least 50 percent of workforce education programs if they  
2243 offer seven or fewer programs.

2244           (b) Offer a money-back guarantee for all workforce  
2245 education programs that are established to meet a critical local  
2246 economic industry need, but are not linked to the statewide  
2247 needs list as identified by the Labor Market Estimating  
2248 Conference created in s. 216.136.

2249           (c) Establish student eligibility criteria for the money-  
2250 back guarantee program that includes:

- 2251 1. Student attendance.
- 2252 2. Student program performance.
- 2253 3. Career Service or Career Day attendance.
- 2254 4. Participation in internship or work-study programs.
- 2255 5. Job search documentation.
- 2256 6. Development of a student career plan with the  
2257 institution's career services department.

2258 (3) No later than July 1, 2022, each school district and  
2259 Florida College System institution shall notify the State Board  
2260 of Education of the money-back guarantee programs it offers.  
2261 Information about these programs shall be made available on each  
2262 school district's and Florida College System institution's  
2263 website, on the department's website, and on EmployFlorida's  
2264 website.

2265 (4) By November 1 of each year, the Department of  
2266 Education shall report performance results by school district,  
2267 Florida College System institution, and program to the Governor,  
2268 the President of the Senate, and the Speaker of the House of  
2269 Representatives.

2270 Section 29. Subsection (2) of section 1011.81, Florida  
2271 Statutes, is amended to read:

2272 1011.81 Florida College System Program Fund.—

2273 (2) Performance funding for industry certifications for  
2274 Florida College System institutions is contingent upon specific  
2275 appropriation in the General Appropriations Act and shall be

2276 determined as follows:

2277 ~~(a) Occupational areas for which industry certifications~~  
2278 ~~may be earned, as established in the General Appropriations Act,~~  
2279 ~~are eligible for performance funding. Priority shall be given to~~  
2280 ~~the occupational areas emphasized in state, national, or~~  
2281 ~~corporate grants provided to Florida educational institutions.~~

2282 ~~(a)(b) Postsecondary~~ The Chancellor of the Florida College  
2283 System shall identify the industry certifications identified  
2284 ~~eligible for funding~~ on the CAPE ~~Postsecondary~~ Industry  
2285 Certification Funding List approved by the State Board of  
2286 Education under pursuant to s. 1008.44, are eligible for  
2287 performance funding based on the occupational areas specified in  
2288 the General Appropriations Act.

2289 ~~(b)(e)~~ Each Florida College System institution shall be  
2290 provided \$1,000 for each industry certification earned by a  
2291 student under paragraph (a). If funds are insufficient to fully  
2292 fund the calculated total award, such funds shall be prorated.  
2293 Beginning with the 2022-2023 fiscal year, the Credentials Review  
2294 Committee established in s. 445.004 shall develop a returned-  
2295 value funding formula to allocate institution performance funds  
2296 that rewards student job placements and wages for students  
2297 earning industry certifications. One-third of the performance  
2298 funds shall be allocated based on student job placements. The  
2299 remaining two-thirds shall be allocated using a three tiered  
2300 weighted system based on aggregate student wages that exceed

2301 minimum wage with the highest weight applied to the highest wage  
2302 tier. Student wages above minimum wage are considered to be the  
2303 value added by the institution's training.

2304 Section 30. This act shall take effect July 1, 2021.

## **Staff Comments**

### **SB 98**

#### **Overview**

SB 98 parallels HB1507 in a number of ways. It does not create the Office of Reimagining Education and Career Help, nor does it envision the new workforce case management system.

Its scope of improvement/change is more focused and includes the following 1507 elements of concern:

- Letter grades;
- Member term limitations;
- Compensation transparency; and
- TANF Performance (less specific than 1507).

From an “Awareness” standpoint, it expands “for cause” to include Gross Mismanagement and Board member contract amount reduction.

1                                   A bill to be entitled  
2     An act relating to workforce related programs and  
3     services; amending s. 216.136, F.S.; renaming the  
4     Workforce Estimating Conference as the Labor Market  
5     Estimating Conference; removing requirements for the  
6     Workforce Estimating Conference; providing  
7     requirements for the Labor Market Estimating  
8     Conference; amending s. 445.002, F.S.; redefining the  
9     term "for cause"; amending s. 445.004, F.S.; expanding  
10    the membership of the state workforce development  
11    board; specifying entities that can authorize certain  
12    expenditures; providing and revising requirements for  
13    the state board in order to achieve certain purposes;  
14    requiring the state board, in consultation with the  
15    department, to submit a report to the Governor and  
16    Legislature; providing and revising reporting  
17    requirements; requiring the state board to assign  
18    letter grades to local workforce development boards;  
19    requiring local performance accountability measures to  
20    be based on identified local area needs; amending s.  
21    445.007, F.S.; removing authority for a local board to  
22    review a decision by the department to deny a  
23    contract; requiring a local board to disclose certain  
24    compensation information to the department; providing  
25    term limits for local board members; providing an  
26    exception; requiring actions of the local board to be  
27    consistent with federal and state law; providing  
28    requirements for certain contracts between a local  
29    board and certain entities; providing an exception;

30 requiring the department to review certain  
31 documentation when considering whether to approve a  
32 contract; removing authority for a local board to  
33 review a decision by the department to deny a  
34 contract; requiring a local board to disclose certain  
35 compensation information to the department; requiring  
36 local boards to publish specified information;  
37 requiring the department to review certain information  
38 provided by a local board in reviewing contracts;  
39 amending s. 445.009, F.S.; requiring a certain final  
40 payment amount to Individual Training Accounts;  
41 conforming provisions to changes made by the act;  
42 amending s. 445.038, F.S.; conforming provisions to  
43 changes made by the act; amending s. 446.021, F.S.;

44 revising the definition of the term "uniform minimum  
45 preapprenticeship standards"; expanding the definition  
46 to include apprenticeship programs; amending s.  
47 446.032, F.S.; requiring certain standards and  
48 policies established by the Department of Education to  
49 include a specified requirement for training  
50 providers; requiring, rather than authorizing, the  
51 department to adopt rules; providing requirements for  
52 a certain annual report; requiring the department to  
53 provide data from certain resources to specified  
54 persons and entities; amending s. 446.045, F.S.;

55 specifying that the Governor shall fill vacancies on  
56 the State Apprenticeship Advisory Council for the  
57 remainder of a term; amending s. 1003.4156, F.S.;

58 requiring a career and education planning course to

59 include certain resources; amending s. 1003.4203,  
60 F.S.; specifying the sections under which the  
61 Department of Education must identify certain CAPE  
62 Digital Tool certificates; removing the deadline for  
63 such identification; removing specified skills that  
64 must be mastered; authorizing courses identified in  
65 the CAPE Industry Certification Funding List to  
66 articulate for college credit; removing the course  
67 limit; amending s. 1003.491, F.S.; requiring certain  
68 strategic plans to use labor projections identified by  
69 the Labor Market Estimating Conference; amending s.  
70 1003.4935, F.S.; requiring that middle grades career  
71 and professional academies and career-themed courses  
72 lead to careers in occupations aligned with the CAPE  
73 Industry Certification Funding List; amending s.  
74 1008.41, F.S.; adding the Labor Market Estimating  
75 Conference as a source of workforce data; amending s.  
76 1008.44, F.S.; requiring the Commissioner of Education  
77 to conduct a review of the methodology used to  
78 determine certain full-time equivalent membership  
79 weights and, if necessary, recommend revised weights;  
80 requiring that the recommendations be provided to the  
81 Governor and the Legislature by a specified date;  
82 amending s. 1011.801, F.S.; conforming a provision to  
83 changes made by the act; amending s. 1011.802, F.S.;  
84 requiring the department to prioritize programs  
85 identified by the Labor Market Estimating Conference;  
86 providing requirements for awards under the Florida  
87 Pathways to Career Opportunities Grant Program;

88 amending s. 445.011, F.S.; conforming a cross-  
89 reference; amending s. 1011.80, F.S.; conforming a  
90 provision to changes made by the act; providing an  
91 effective date.

92  
93 Be It Enacted by the Legislature of the State of Florida:

94  
95 Section 1. Subsection (7) of section 216.136, Florida  
96 Statutes, is amended to read:

97 216.136 Consensus estimating conferences; duties and  
98 principals.—

99 (7) LABOR MARKET ~~WORKFORCE~~ ESTIMATING CONFERENCE.—

100 (a) The Labor Market ~~Workforce~~ Estimating Conference shall  
101 develop such official information with respect to real-time  
102 supply and demand in Florida's statewide, regional, and local  
103 labor markets ~~on the workforce development system planning~~  
104 ~~process as it relates to the personnel needs of current, new,~~  
105 ~~and emerging industries~~ as the conference determines is needed  
106 by the state planning and budgeting system. Such information  
107 must include labor supply by education level, analyses of labor  
108 demand by occupational groups and occupations compared to labor  
109 supply, a ranking of critical areas of concern, and  
110 identification of in-demand, high-skill, high-wage occupations.  
111 The Office of Economic and Demographic Research is designated as  
112 the official lead for the United States Census Bureau's State  
113 Data Center Program or its successor. All state agencies must  
114 provide the Office of Economic and Demographic Research with the  
115 necessary data to accomplish the goals of the conference. In  
116 accordance with s. 216.135, state agencies shall ensure that any

117 work product regarding labor demand and supply is consistent  
118 with the official information developed by the Labor Market  
119 Estimating Conference, using quantitative and qualitative  
120 research methods, must include at least: short-term and long-  
121 term forecasts of employment demand for jobs by occupation and  
122 industry; entry and average wage forecasts among those  
123 occupations; and estimates of the supply of trained and  
124 qualified individuals available or potentially available for  
125 employment in those occupations, with special focus upon those  
126 occupations and industries which require high skills and have  
127 high entry wages and experienced wage levels. In the development  
128 of workforce estimates, the conference shall use, to the fullest  
129 extent possible, local occupational and workforce forecasts and  
130 estimates.

131 (b) ~~The Workforce Estimating Conference shall review data~~  
132 ~~concerning local and regional demands for short-term and long-~~  
133 ~~term employment in High Skills/High Wage Program jobs, as well~~  
134 ~~as other jobs, which data is generated through surveys conducted~~  
135 ~~as part of the state's Internet-based job matching and labor~~  
136 ~~market information system authorized under s. 445.011. The~~  
137 ~~conference shall consider this data in developing its forecasts~~  
138 ~~for statewide employment demand, including reviewing local and~~  
139 ~~regional data for common trends and conditions among localities~~  
140 ~~or regions which may warrant inclusion of a particular~~  
141 ~~occupation on the statewide occupational forecasting list~~  
142 ~~developed by the conference. Based upon its review of such~~  
143 ~~survey data, the conference shall also make recommendations~~  
144 ~~semiannually to CareerSource Florida, Inc., on additions or~~  
145 ~~deletions to lists of locally targeted occupations approved by~~

146 ~~CareerSource Florida, Inc.~~

147 ~~(e) The Labor Market Workforce Estimating Conference, for~~  
148 ~~the purposes described in paragraph (a), shall meet at least~~  
149 ~~twice a year for the purposes described in paragraph (a) no less~~  
150 ~~than 2 times in a calendar year. The first meeting shall be held~~  
151 ~~in February, and the second meeting shall be held in August.~~  
152 ~~Other meetings may be scheduled as needed.~~

153 Section 2. Subsection (2) of section 445.002, Florida  
154 Statutes, is amended to read:

155 445.002 Definitions.—As used in this chapter, the term:

156 (2) "For cause" includes, but is not limited to, engaging  
157 in fraud or other criminal acts, incapacity, unfitness, neglect  
158 of duty, official incompetence and irresponsibility,  
159 misfeasance, malfeasance, nonfeasance, gross mismanagement, or  
160 lack of performance.

161 Section 3. Present subsections (8) through (13) of section  
162 445.004, Florida Statutes, are redesignated as subsections (9)  
163 through (14), respectively, a new subsection (8) is added to  
164 that section, and paragraph (d) of subsection (3), subsections  
165 (6) and (7), paragraph (b) of present subsection (9), and  
166 present subsection (11) of that section are amended, to read:

167 445.004 CareerSource Florida, Inc., and the state board;  
168 creation; purpose; membership; duties and powers.—

169 (3)

170 (d) The state board must include the vice chairperson of  
171 the board of directors of Enterprise Florida, Inc., and one  
172 member representing each of the Workforce Innovation and  
173 Opportunity Act partners, including the Division of Career and  
174 Adult Education, the Division of Vocational Rehabilitation, the

175 Department of Children and Families, and other entities  
176 representing programs identified in the Workforce Innovation and  
177 Opportunity Act, as determined necessary.

178 (6) The state board shall ~~may take action that it deems~~  
179 ~~necessary to~~ achieve the purposes of this section by, ~~including,~~  
180 ~~but not limited to:~~

181 (a) Creating a state employment, education, and training  
182 policy that ensures that workforce-related programs ~~to prepare~~  
183 ~~workers~~ are responsive to present and future business and  
184 industry needs and complement the initiatives of Enterprise  
185 Florida, Inc.

186 (b) Establishing policy direction for a uniform funding  
187 system that prioritizes evidence-based, results-driven solutions  
188 by providing ~~provides~~ incentives to improve the outcomes of  
189 career education, registered apprenticeship, and work-based  
190 learning programs and that focuses resources on occupations  
191 related to new or emerging industries that add greatly to the  
192 value of the state's economy.

193 (c) Establishing a comprehensive policy related to the  
194 education and training of target populations such as those who  
195 have disabilities, are economically disadvantaged, receive  
196 public assistance, are not proficient in English, or are  
197 dislocated workers. This approach should ensure the effective  
198 use of federal, state, local, and private resources in reducing  
199 the need for public assistance by combining two or more sources  
200 of funding to support workforce-related programs or activities  
201 for vulnerable populations when appropriate or authorized.

202 (d) Identifying barriers to coordination and alignment  
203 among workforce-related programs and activities and developing

204 solutions to remove such barriers ~~Designating Institutes of~~  
205 ~~Applied Technology composed of public and private postsecondary~~  
206 ~~institutions working together with business and industry to~~  
207 ~~ensure that career education programs use the most advanced~~  
208 ~~technology and instructional methods available and respond to~~  
209 ~~the changing needs of business and industry.~~

210 (e) Providing policy direction for a system to project and  
211 evaluate labor market supply and demand using the results of the  
212 Labor Market Workforce ~~Estimating~~ Conference created in s.  
213 216.136 and the career education performance standards  
214 identified under s. 1008.43.

215 (f) Reviewing the performance of public programs that are  
216 responsible for economic development, education, employment, and  
217 training. The review must include an analysis of the return on  
218 investment of these programs.

219 (g) Expanding the occupations identified by the Labor  
220 Market Workforce ~~Estimating~~ Conference to meet needs created by  
221 local emergencies or plant closings or to capture occupations  
222 within emerging industries.

223 (7) By December 1 of each year, the state board, in  
224 consultation with the department, shall submit to the Governor,  
225 the President of the Senate, the Speaker of the House of  
226 Representatives, the Senate Minority Leader, and the House  
227 Minority Leader a complete and detailed annual report setting  
228 forth:

229 (a) All audits and investigations, including any audit or  
230 investigation conducted under subsection (9) ~~(8)~~.

231 (b) The operations and accomplishments of the state board,  
232 including the programs or entities specified in subsection (6).

233 (c) The number of mandatory partners located within one-  
234 stop centers.

235 (d) The amount of progress made toward implementing  
236 solutions to address barriers to coordination and alignment  
237 among programs and activities identified under paragraph (6)(d).

238 (8) Beginning July 1, 2022, the state board shall annually  
239 assign a letter grade for each local workforce development  
240 board.

241 (10)-(9) The state board, in collaboration with the local  
242 workforce development boards and appropriate state agencies and  
243 local public and private service providers, shall establish  
244 uniform performance accountability measures that apply across  
245 the core programs to gauge the performance of the state and  
246 local workforce development boards in achieving the workforce  
247 development strategy.

248 (b) The performance accountability measures for each local  
249 area consist of the primary indicators of performance, any  
250 additional indicators of performance, and a local level of  
251 performance for each indicator pursuant to Pub. L. No. 113-128.  
252 The local level of performance is determined by the local board,  
253 the chief elected official, and the Governor pursuant to Pub. L.  
254 No. 113-128, Title I, s. 116(c). Any local performance  
255 accountability measures that are established must be based on  
256 identified local area needs.

257 (12)-(11) The workforce development system must use local  
258 design and control of service delivery and targeted activities.  
259 The state board, in consultation with the department, is  
260 responsible for ensuring that local workforce development boards  
261 have a membership consistent with the requirements of federal

262 and state law and have developed a plan consistent with the  
263 state's workforce development strategy. The plan must specify  
264 methods for allocating the resources and programs in a manner  
265 that eliminates unwarranted duplication, minimizes  
266 administrative costs, meets the existing job market demands and  
267 the job market demands resulting from successful economic  
268 development activities, ensures access to quality workforce  
269 development services for all Floridians, allows for pro rata or  
270 partial distribution of benefits and services, prohibits the  
271 creation of a waiting list or other indication of an unserved  
272 population, serves as many individuals as possible within  
273 available resources, and maximizes successful outcomes. The  
274 state board shall establish incentives for effective alignment  
275 ~~coordination~~ of federal and state programs, outline rewards for  
276 achieving the long-term self-sufficiency of participants  
277 ~~successful job placements~~, and institute collaborative  
278 approaches among local service providers.

279 Section 4. Subsection (1), paragraph (a) of subsection (2),  
280 and subsections (6), (11), and (12) of section 445.007, Florida  
281 Statutes, are amended, and subsections (13) and (14) are added  
282 to that section, to read:

283 445.007 Local workforce development boards.—

284 (1) One local workforce development board shall be  
285 appointed in each designated service delivery area and shall  
286 serve as the local workforce development board pursuant to Pub.  
287 L. No. 113-128. The membership of the local board must be  
288 consistent with Pub. L. No. 113-128, Title I, s. 107(b). If a  
289 public education or training provider is represented on the  
290 local board, a representative of a private education provider

291 must also be appointed to the local board. The state board may  
292 waive this requirement if requested by a local workforce  
293 development board if it is demonstrated that such  
294 representatives do not exist in the region. The importance of  
295 minority and gender representation shall be considered when  
296 making appointments to the local board. The local board, its  
297 committees, subcommittees, and subdivisions, and other units of  
298 the workforce system, including units that may consist in whole  
299 or in part of local governmental units, may use any method of  
300 telecommunications to conduct meetings, including establishing a  
301 quorum through telecommunications, provided that the public is  
302 given proper notice of the telecommunications meeting and  
303 reasonable access to observe and, when appropriate, participate.  
304 Local workforce development boards are subject to chapters 119  
305 and 286 and s. 24, Art. I of the State Constitution. ~~If the~~  
306 ~~local workforce development board enters into a contract with an~~  
307 ~~organization or individual represented on the local board, the~~  
308 ~~contract must be approved by a two thirds vote of the local~~  
309 ~~board, a quorum having been established, and the local board~~  
310 ~~member who could benefit financially from the transaction must~~  
311 ~~abstain from voting on the contract. A local board member must~~  
312 ~~disclose any such conflict in a manner that is consistent with~~  
313 ~~the procedures outlined in s. 112.3143.~~ Each member of a local  
314 workforce development board who is not otherwise required to  
315 file a full and public disclosure of financial interests under  
316 s. 8, Art. II of the State Constitution or s. 112.3144 shall  
317 file a statement of financial interests under s. 112.3145. The  
318 executive director or designated person responsible for the  
319 operational and administrative functions of the local workforce

320 development board who is not otherwise required to file a full  
321 and public disclosure of financial interests under s. 8, Art. II  
322 of the State Constitution or s. 112.3144 shall file a statement  
323 of financial interests under s. 112.3145. The local workforce  
324 development board's website, or the department's website if the  
325 local board does not maintain a website, must inform the public  
326 that each disclosure or statement has been filed with the  
327 Commission on Ethics and provide information as to how each  
328 disclosure or statement may be reviewed. The notice to the  
329 public must remain on the website throughout the term of office  
330 or employment of the filer and until 1 year after his or her  
331 term on the local board or employment, as applicable, ends.

332 (2) (a) The local workforce development board shall elect a  
333 chair from among the representatives described in Pub. L. No.  
334 113-128, Title I, s. 107(b) (2) (A) to serve for a term of no more  
335 than 2 years and may not shall serve no more than two terms as  
336 chair. A member of a local workforce development board may not  
337 serve as a member of the board for more than 6 consecutive  
338 years, unless such member is a representative of a governmental  
339 entity.

340 (6) Consistent with federal and state law, the local  
341 workforce development board shall designate all local service  
342 providers and may not transfer this authority to a third party.  
343 Consistent with the intent of the Workforce Innovation and  
344 Opportunity Act, local workforce development boards should  
345 provide the greatest possible choice of training providers to  
346 those who qualify for training services. A local ~~workforce~~  
347 ~~development~~ board may not restrict the choice of training  
348 providers based upon cost, location, or historical training

349 arrangements. However, a local board may restrict the amount of  
350 training resources available to any one client. Such  
351 restrictions may vary based upon the cost of training in the  
352 client's chosen occupational area. The local workforce  
353 development board may be designated as a one-stop operator and  
354 direct provider of intake, assessment, eligibility  
355 determinations, or other direct provider services except  
356 training services. Such designation may occur only with the  
357 agreement of the chief elected official and the Governor as  
358 specified in 29 U.S.C. s. 2832(f)(2). The state board shall  
359 establish procedures by which a local workforce development  
360 board may request permission to operate under this section and  
361 the criteria under which such permission may be granted. The  
362 criteria shall include, but need not be limited to, a reduction  
363 in the cost of providing the permitted services. Such permission  
364 shall be granted for a period not to exceed 3 years for any  
365 single request submitted by the local workforce development  
366 board.

367 (11) (a) To increase transparency and accountability, a  
368 local workforce development board must comply with the  
369 requirements of this section before contracting with a member of  
370 the local board; ~~or~~ a relative, as defined in s. 112.3143(1)(c),  
371 of a local board member; an organization or individual  
372 represented on the local board; or of an employee of the local  
373 board. Such contracts may not be executed before or without the  
374 prior approval of the department. Such contracts, as well as  
375 documentation demonstrating adherence to this section as  
376 specified by the department, must be submitted to the department  
377 for review and approval. Such a contract must be approved by a

378 two-thirds vote of the local board, a quorum having been  
379 established; all conflicts of interest must be disclosed before  
380 the vote in a manner that is consistent with the procedures  
381 outlined in s. 112.3143(4); and any member who may benefit from  
382 the contract, or whose organization or relative may benefit from  
383 the contract, must abstain from the vote. A contract subject to  
384 the requirements of this subsection may not be included on a  
385 consent agenda.

386 (b) A contract under \$10,000 ~~\$25,000~~ between a local  
387 workforce development board and ~~a member of that board or~~  
388 ~~between~~ a relative, as defined in s. 112.3143(1)(c), of a local  
389 board member or of an employee of the local board is not  
390 required to have the prior approval of the department, but must  
391 be approved by a two-thirds vote of the local board, a quorum  
392 having been established, and must be reported to the department  
393 and the state board within 30 days after approval.

394 (c) All contracts between a local board and a member of the  
395 local board; a relative, as defined in s. 112.3143(1)(c), of a  
396 local board member; an organization or individual represented on  
397 the local board; or an employee of the local board, approved on  
398 or after July 1, 2021, also must be published on the local  
399 board's website, or on the department's website if the local  
400 board does not maintain a website, within 10 days after approval  
401 by the local board or department, whichever is later. Such  
402 contracts must remain published on the website for at least 1  
403 year after termination of the contract.

404 (d) In considering whether to approve a contract under this  
405 subsection, the department shall review and consider all  
406 documentation provided to the department by the local board,

407 including the performance rating of the entity with which the  
408 local board is proposing to contract, if applicable, and the  
409 nature, size, and makeup of the business community served by the  
410 local board, including whether the entity with which the local  
411 board is proposing to contract is the only provider of the  
412 desired goods or services within the area served by the local  
413 board ~~If a contract cannot be approved by the department, a~~  
414 ~~review of the decision to disapprove the contract may be~~  
415 ~~requested by the local workforce development board or other~~  
416 ~~parties to the disapproved contract.~~

417 (12) Each local workforce development board shall develop a  
418 budget for the purpose of carrying out the duties of the local  
419 board under this section, subject to the approval of the chief  
420 elected official. Each local workforce development board shall  
421 submit its annual budget for review to the department no later  
422 than 2 weeks after the chair approves the budget. The local  
423 board shall publish the budget on its website, or the  
424 department's website if the local board does not maintain a  
425 website, within 10 days after approval by the department. The  
426 budget shall remain published on the website for the duration of  
427 the fiscal year for which it accounts for the expenditure of  
428 funds.

429 (13) Each local workforce development board annually,  
430 within 30 days after the end of the fiscal year, shall disclose  
431 to the department, in a manner determined by the department, the  
432 amount and nature of compensation paid to all executives,  
433 officers, directors, trustees, key employees, and highest  
434 compensated employees, as defined for purposes of the Internal  
435 Revenue Service Form 990, Return of Organization Exempt from

436 Income Tax, including salary, bonuses, present value of vested  
437 benefits, including, but not limited to, retirement, accrued  
438 leave and paid time off, cashed-in leave, cash equivalents,  
439 severance pay, pension plan accruals and contributions, deferred  
440 compensation, real property gifts, and any other liability owed  
441 to such persons. The disclosure must be accompanied by a written  
442 declaration, as provided for under s. 92.525(2), from the Chief  
443 Financial Officer, or his or her designee, stating that he or  
444 she has read the foregoing document and the facts stated in it  
445 are true. Such information also must be published on the local  
446 board's website, or the department's website if the local board  
447 does not maintain a website, for a period of 3 years after it is  
448 first published.

449 (14) Each local workforce development board shall annually  
450 publish its most recent Internal Revenue Service Form 990,  
451 Return of Organization Exempt from Income Tax, on its website,  
452 or the department's website if the local board does not maintain  
453 a website. The form must be posted on the local board's website  
454 within 60 calendar days after it is filed with the Internal  
455 Revenue Service and remain posted for 3 years after it is filed.

456 Section 5. Paragraphs (a) and (e) of subsection (8) of  
457 section 445.009, Florida Statutes, are amended to read:

458 445.009 One-stop delivery system.—

459 (8) (a) Individual Training Accounts must be expended on  
460 programs that prepare people to enter ~~high-wage~~ occupations  
461 identified by the Labor Market Workforce Estimating Conference  
462 created by s. 216.136, and on other programs recommended and  
463 approved by the state board following a review by the department  
464 to determine the program's compliance with federal law.

465 (e) Training services provided through Individual Training  
466 Accounts must be performance-based, with successful job  
467 placement triggering final full payment of at least 10 percent.

468 Section 6. Section 445.038, Florida Statutes, is amended to  
469 read:

470 445.038 Digital media; job training.—CareerSource Florida,  
471 Inc., through the Department of Economic Opportunity, may use  
472 funds dedicated for incumbent worker training for the digital  
473 media industry. Training may be provided by public or private  
474 training providers for broadband digital media jobs listed on  
475 the ~~targeted~~ occupations list developed by the Labor Market  
476 ~~Workforce~~ Estimating Conference ~~or CareerSource Florida, Inc.~~  
477 Programs that operate outside the normal semester time periods  
478 and coordinate the use of industry and public resources should  
479 be given priority status for funding.

480 Section 7. Subsection (8) of section 446.021, Florida  
481 Statutes, is amended to read:

482 446.021 Definitions of terms used in ss. 446.011-446.092.—  
483 As used in ss. 446.011-446.092, the term:

484 (8) "~~Uniform minimum preapprenticeship~~ Standards" means the  
485 minimum requirements established uniformly for each occupation  
486 ~~craft~~ under which an apprenticeship or a preapprenticeship  
487 program is administered. ~~The term and~~ includes standards of  
488 admission, training goals, training objectives, curriculum  
489 outlines, objective standards to measure successful completion  
490 of the apprenticeship or preapprenticeship program, and the  
491 percentage of credit which may be given to an apprentice or a  
492 preapprentice ~~preapprenticeship graduates upon acceptance into~~  
493 ~~the apprenticeship program.~~

494 Section 8. Subsections (1), (2), and (3) of section  
495 446.032, Florida Statutes, are amended to read:

496 446.032 General duties of the department for apprenticeship  
497 training.—The department shall:

498 (1) Establish uniform minimum standards and policies  
499 governing apprenticeship ~~apprentice~~ programs and agreements  
500 which must require training providers to submit data necessary  
501 to determine program performance consistent with state and  
502 federal law. The standards and policies shall govern the terms  
503 and conditions of the apprentice's employment and training,  
504 including the quality training of the apprentice for, but not  
505 limited to, such matters as ratios of apprentices to  
506 journeyworkers, safety, related instruction, and on-the-job  
507 training; but these standards and policies may not include  
508 rules, standards, or guidelines that require the use of  
509 apprentices and job trainees on state, county, or municipal  
510 contracts. The department shall ~~may~~ adopt rules necessary to  
511 administer the standards and policies.

512 (2) By September 1 of each year, publish an annual report  
513 on apprenticeship and preapprenticeship programs. The report  
514 must be published on the department's website and, at a minimum,  
515 include all of the following:

516 (a) A list of registered apprenticeship and  
517 preapprenticeship programs, sorted by local educational agency,  
518 as defined in s. 1004.02(18), and apprenticeship sponsor, under  
519 s. 446.071.

520 (b) A detailed summary of each local educational agency's  
521 expenditure of funds for apprenticeship and preapprenticeship  
522 programs, including:

523 1. The total amount of funds received for apprenticeship  
524 and preapprenticeship programs;

525 2. The total amount of funds allocated by training  
526 provider, program, and to each trade or occupation;

527 3. The total amount of funds expended for administrative  
528 costs by training provider, program, and per trade or  
529 occupation; and

530 4. The total amount of funds expended for instructional  
531 costs by training provider, program, per trade and occupation.

532 (c) The number of apprentices and preapprentices per trade  
533 and occupation.

534 (d) The percentage of apprentices and preapprentices who  
535 complete their respective programs in the appropriate timeframe.

536 (e) Information and resources related to applications for  
537 new apprenticeship programs and technical assistance and  
538 requirements for potential applicants.

539 (f) Documentation of activities conducted by the department  
540 to promote apprenticeship and preapprenticeship programs through  
541 public engagement, community-based partnerships, and other  
542 initiatives and the outcomes of such activities and their impact  
543 on establishing or expanding apprenticeship and  
544 preapprenticeship programs.

545 (g) Retention and completion rates of participants  
546 aggregated by training provider, program, and occupation.

547 (h) Wage progression of participants as demonstrated by  
548 starting, exit, and postapprenticeship wages.

549 (3) Provide assistance to district school boards, Florida  
550 College System institution boards of trustees, program sponsors,  
551 and local workforce development boards in notifying students,

552 parents, and members of the community of the availability of  
553 apprenticeship and preapprenticeship opportunities, including  
554 data provided in the economic security report under ~~pursuant to~~  
555 s. 445.07 and other state career planning resources.

556 Section 9. Paragraph (b) of subsection (2) of section  
557 446.045, Florida Statutes, is amended to read:

558 446.045 State Apprenticeship Advisory Council.—

559 (2)

560 (b) The Commissioner of Education or the commissioner's  
561 designee shall serve ex officio as chair of the State  
562 Apprenticeship Advisory Council, but may not vote. The state  
563 director of the Office of Apprenticeship of the United States  
564 Department of Labor shall serve ex officio as a nonvoting member  
565 of the council. The Governor shall appoint to the council four  
566 members representing employee organizations and four members  
567 representing employer organizations. Each of these eight members  
568 shall represent industries that have registered apprenticeship  
569 programs. The Governor shall also appoint two public members who  
570 are knowledgeable about registered apprenticeship and  
571 apprenticeable occupations and who are independent of any joint  
572 or nonjoint organization. Members shall be appointed for 4-year  
573 staggered terms. The Governor A vacancy shall fill any vacancy  
574 ~~be filled~~ for the remainder of the unexpired term.

575 Section 10. Paragraph (e) of subsection (1) of section  
576 1003.4156, Florida Statutes, is amended to read:

577 1003.4156 General requirements for middle grades  
578 promotion.—

579 (1) In order for a student to be promoted to high school  
580 from a school that includes middle grades 6, 7, and 8, the

581 student must successfully complete the following courses:

582 (e) One course in career and education planning to be  
583 completed in grades 6, 7, or 8, which may be taught by any  
584 member of the instructional staff. The course must be Internet-  
585 based, customizable to each student, and include research-based  
586 assessments to assist students in determining educational and  
587 career options and goals. In addition, the course must result in  
588 a completed personalized academic and career plan for the  
589 student that may be revised as the student progresses through  
590 middle school and high school; must emphasize the importance of  
591 entrepreneurship and employability skills; and must include  
592 information from the Department of Economic Opportunity's  
593 economic security report under s. 445.07 and other state career  
594 planning resources. The required personalized academic and  
595 career plan must inform students of high school graduation  
596 requirements, including a detailed explanation of the  
597 requirements for earning a high school diploma designation under  
598 s. 1003.4285; the requirements for each scholarship in the  
599 Florida Bright Futures Scholarship Program; state university and  
600 Florida College System institution admission requirements;  
601 available opportunities to earn college credit in high school,  
602 including Advanced Placement courses; the International  
603 Baccalaureate Program; the Advanced International Certificate of  
604 Education Program; dual enrollment, including career dual  
605 enrollment; and career education courses, including career-  
606 themed courses, preapprenticeship and apprenticeship programs,  
607 and course sequences that lead to industry certification  
608 pursuant to s. 1003.492 or s. 1008.44. The course may be  
609 implemented as a stand-alone course or integrated into another

610 course or courses.

611 Section 11. Subsections (3) and (5) of section 1003.4203,  
612 Florida Statutes, are amended to read:

613 1003.4203 Digital materials, CAPE Digital Tool  
614 certificates, and technical assistance.—

615 (3) CAPE DIGITAL TOOL CERTIFICATES.—The department shall  
616 identify, in the CAPE Industry Certification Funding List under  
617 ss. 1003.492 and 1008.44 ~~by June 15 of each year~~, CAPE Digital  
618 Tool certificates that indicate a student's digital skills. The  
619 department shall notify each school district when the  
620 certificates are available. The certificates shall be made  
621 available to all public elementary and middle grades students.

622 (a) Targeted skills to be mastered for the certificate  
623 include digital skills that are necessary to the student's  
624 academic work and skills the student may need in future  
625 employment. ~~The skills must include, but are not limited to,~~  
626 ~~word processing; spreadsheets; presentations, including sound,~~  
627 ~~motion, and color presentations; digital arts; cybersecurity;~~  
628 ~~and coding consistent with CAPE industry certifications that are~~  
629 ~~listed on the CAPE Industry Certification Funding List, pursuant~~  
630 ~~to ss. 1003.492 and 1008.44.~~ CAPE Digital Tool certificates  
631 earned by students are eligible for additional full-time  
632 equivalent membership under ~~pursuant to~~ s. 1011.62(1)(o)1.a.

633 (b) The school district shall notify each middle school  
634 advisory council of the methods of delivery of the open-access  
635 content and assessments for the certificates. If there is no  
636 middle school advisory council, notification must be provided to  
637 the district advisory council.

638 (c) The Legislature intends that by July 1, 2018, on an

639 annual basis, at least 75 percent of public middle grades  
640 students earn at least one CAPE Digital Tool certificate.

641 (5) CAPE INNOVATION AND CAPE ACCELERATION.—

642 (a) *CAPE Innovation.*—~~Up to five Courses, identified in the~~  
643 CAPE Industry Certification Funding List, which annually  
644 ~~approved by the commissioner that~~ combine academic and career  
645 content, and performance outcome expectations that, if achieved  
646 by a student, must ~~shall~~ articulate for college credit and be  
647 eligible for additional full-time equivalent membership under  
648 ~~pursuant to~~ s. 1011.62(1)(o)1.c. Such approved courses must  
649 incorporate at least two third-party assessments that, if  
650 successfully completed by a student, must ~~shall~~ articulate for  
651 college credit. At least one of the two third-party assessments  
652 must be associated with an industry certification that is  
653 identified on the CAPE Industry Certification Funding List. Each  
654 course that is approved by the commissioner must be specifically  
655 identified in the Course Code Directory as a CAPE Innovation  
656 Course.

657 (b) *CAPE Acceleration.*—Industry certifications, ~~annually~~  
658 ~~approved by the commissioner,~~ that articulate for 15 or more  
659 college credit hours ~~and~~, if successfully completed, are ~~shall~~  
660 ~~be~~ eligible for additional full-time equivalent membership under  
661 ~~pursuant to~~ s. 1011.62(1)(o)1.d. Each approved industry  
662 certification must be specifically identified in the CAPE  
663 Industry Certification Funding List as a CAPE Acceleration  
664 Industry Certification.

665 Section 12. Subsection (3) and paragraph (b) of subsection  
666 (5) of section 1003.491, Florida Statutes, are amended to read:  
667 1003.491 Florida Career and Professional Education Act.—The

668 Florida Career and Professional Education Act is created to  
669 provide a statewide planning partnership between the business  
670 and education communities in order to attract, expand, and  
671 retain targeted, high-value industry and to sustain a strong,  
672 knowledge-based economy.

673 (3) The strategic 3-year plan developed jointly by the  
674 local school district, local workforce development boards,  
675 economic development agencies, and state-approved postsecondary  
676 institutions shall be constructed and based on:

677 (a) Research conducted to objectively determine local and  
678 regional workforce needs for the ensuing 3 years, using labor  
679 projections as identified by the Labor Market Estimating  
680 Conference created in s. 216.136 of the United States Department  
681 of Labor and the Department of Economic Opportunity;

682 (b) Strategies to develop and implement career academies or  
683 career-themed courses based on occupations identified by the  
684 Labor Market Estimating Conference created in s. 216.136 ~~those~~  
685 ~~careers determined to be high-wage, high-skill, and high-demand;~~

686 (c) Strategies to provide shared, maximum use of private  
687 sector facilities and personnel;

688 (d) Strategies that ensure instruction by industry-  
689 certified faculty and standards and strategies to maintain  
690 current industry credentials and for recruiting and retaining  
691 faculty to meet those standards;

692 (e) Strategies to provide personalized student advisement,  
693 including a parent-participation component, and coordination  
694 with middle grades to promote and support career-themed courses  
695 and education planning;

696 (f) Alignment of requirements for middle school career

697 planning, middle and high school career and professional  
698 academies or career-themed courses leading to industry  
699 certification or postsecondary credit, and high school  
700 graduation requirements;

701 (g) Provisions to ensure that career-themed courses and  
702 courses offered through career and professional academies are  
703 academically rigorous, meet or exceed appropriate state-adopted  
704 subject area standards, result in attainment of industry  
705 certification, and, when appropriate, result in postsecondary  
706 credit;

707 (h) Plans to sustain and improve career-themed courses and  
708 career and professional academies;

709 (i) Strategies to improve the passage rate for industry  
710 certification examinations if the rate falls below 50 percent;

711 (j) Strategies to recruit students into career-themed  
712 courses and career and professional academies which include  
713 opportunities for students who have been unsuccessful in  
714 traditional classrooms but who are interested in enrolling in  
715 career-themed courses or a career and professional academy.  
716 School boards shall provide opportunities for students who may  
717 be deemed as potential dropouts or whose cumulative grade point  
718 average drops below a 2.0 to enroll in career-themed courses or  
719 participate in career and professional academies. Such students  
720 must be provided in-person academic advising that includes  
721 information on career education programs by a certified school  
722 counselor or the school principal or his or her designee during  
723 any semester the students are at risk of dropping out or have a  
724 cumulative grade point average below a 2.0;

725 (k) Strategies to provide sufficient space within academies

726 to meet workforce needs and to provide access to all interested  
727 and qualified students;

728 (l) Strategies to implement career-themed courses or career  
729 and professional academy training that lead to industry  
730 certification in juvenile justice education programs;

731 (m) Opportunities for high school students to earn weighted  
732 or dual enrollment credit for higher-level career and technical  
733 courses;

734 (n) Promotion of the benefits of the Gold Seal Bright  
735 Futures Scholarship;

736 (o) Strategies to ensure the review of district pupil-  
737 progression plans and to amend such plans to include career-  
738 themed courses and career and professional academy courses and  
739 to include courses that may qualify as substitute courses for  
740 core graduation requirements and those that may be counted as  
741 elective courses;

742 (p) Strategies to provide professional development for  
743 secondary certified school counselors on the benefits of career  
744 and professional academies and career-themed courses that lead  
745 to industry certification; and

746 (q) Strategies to redirect appropriated career funding in  
747 secondary and postsecondary institutions to support career  
748 academies and career-themed courses that lead to industry  
749 certification.

750 (5) (b) Using the findings from the annual review required  
751 in paragraph (a), the commissioner shall phase out career and  
752 technical education offerings that are not aligned with the  
753 needs of the state ~~employers or do not provide program~~  
754 ~~completers with a middle wage or high wage occupation~~ and

755 encourage school districts and Florida College System  
756 institutions to offer programs that are not ~~offered~~ currently  
757 offered.

758 Section 13. Subsections (2) and (3) of section 1003.4935,  
759 Florida Statutes, are amended to read:

760 1003.4935 Middle grades career and professional academy  
761 courses and career-themed courses.—

762 (2) Each middle grades career and professional academy or  
763 career-themed course must be aligned with at least one high  
764 school career and professional academy or career-themed course  
765 offered in the district and maintain partnerships with local  
766 business and industry and economic development boards. Middle  
767 grades career and professional academies and career-themed  
768 courses must:

769 (a) Lead to careers in occupations aligned with ~~designated~~  
770 ~~as high-skill, high-wage, and high-demand~~ in the CAPE Industry  
771 Certification Funding List approved under rules adopted by the  
772 State Board of Education;

773 (b) Integrate content from core subject areas;

774 (c) Integrate career and professional academy or career-  
775 themed course content with intensive reading, English Language  
776 Arts, and mathematics pursuant to s. 1003.4282;

777 (d) Coordinate with high schools to maximize opportunities  
778 for middle grades students to earn high school credit;

779 (e) Provide access to virtual instruction courses provided  
780 by virtual education providers legislatively authorized to  
781 provide part-time instruction to middle grades students. The  
782 virtual instruction courses must be aligned to state curriculum  
783 standards for middle grades career and professional academy

784 courses or career-themed courses, with priority given to  
785 students who have required course deficits;

786 (f) Provide instruction from highly skilled professionals  
787 who hold industry certificates in the career area in which they  
788 teach;

789 (g) Offer externships; and

790 (h) Provide personalized student advisement that includes a  
791 parent-participation component.

792 (3) Beginning with the 2012-2013 school year, if a school  
793 district implements a middle school career and professional  
794 academy or a career-themed course, the Department of Education  
795 shall collect and report student achievement data pursuant to  
796 performance factors identified under s. 1003.492(3) ~~s.~~  
797 ~~1003.492(5)~~ for students enrolled in an academy or a career-  
798 themed course.

799 Section 14. Subsection (3) of section 1008.41, Florida  
800 Statutes, is amended to read:

801 1008.41 Workforce education; management information  
802 system.—

803 (3) Planning and evaluation of job-preparatory programs  
804 shall be based on standard sources of data and use standard  
805 occupational definitions and coding structures, including, but  
806 not limited to:

807 (a) The Florida Occupational Information System.~~†~~

808 (b) The Florida Education and Training Placement  
809 Information Program.~~†~~

810 (c) The Department of Economic Opportunity.~~†~~

811 (d) The United States Department of Labor.~~†~~~~and~~

812 (e) The Labor Market Estimating Conference created under s.

813 216.136.

814 (f) Other sources of data developed using statistically  
815 valid procedures.

816 Section 15. Paragraph (f) is added to subsection (1) of  
817 section 1008.44, Florida Statutes, to read:

818 1008.44 CAPE Industry Certification Funding List and CAPE  
819 Postsecondary Industry Certification Funding List.—

820 (1) Pursuant to ss. 1003.4203 and 1003.492, the Department  
821 of Education shall, at least annually, identify, under rules  
822 adopted by the State Board of Education, and the Commissioner of  
823 Education may at any time recommend adding the following  
824 certificates, certifications, and courses:

825 (f) The Commissioner of Education shall conduct a review of  
826 the methodology used to determine additional full-time  
827 equivalent membership weights assigned in s. 1011.62(1)(o) and,  
828 if necessary, recommend revised weights. The results of the  
829 review and the commissioner's recommendations must be submitted  
830 to the Governor, the President of the Senate, and the Speaker of  
831 the House of Representatives no later than December 31, 2021.

832 Section 16. Subsection (3) of section 1011.801, Florida  
833 Statutes, is amended to read:

834 1011.801 Workforce Development Capitalization Incentive  
835 Grant Program.—The Legislature recognizes that the need for  
836 school districts and Florida College System institutions to be  
837 able to respond to emerging local or statewide economic  
838 development needs is critical to the workforce development  
839 system. The Workforce Development Capitalization Incentive Grant  
840 Program is created to provide grants to school districts and  
841 Florida College System institutions on a competitive basis to

842 fund some or all of the costs associated with the creation or  
843 expansion of workforce development programs that serve specific  
844 employment workforce needs.

845 (3) The State Board of Education shall give highest  
846 priority to programs that train people to enter high-skill,  
847 high-wage occupations identified by the Labor Market Workforce  
848 Estimating Conference and other programs approved by the state  
849 board as defined in s. 445.002, programs that train people to  
850 enter occupations under the welfare transition program, or  
851 programs that train for the workforce adults who are eligible  
852 for public assistance, economically disadvantaged, disabled, not  
853 proficient in English, or dislocated workers. The State Board of  
854 Education shall consider the statewide geographic dispersion of  
855 grant funds in ranking the applications and shall give priority  
856 to applications from education agencies that are making maximum  
857 use of their workforce development funding by offering high-  
858 performing, high-demand programs.

859 Section 17. Subsection (3) of section 1011.802, Florida  
860 Statutes, is amended to read:

861 1011.802 Florida Pathways to Career Opportunities Grant  
862 Program.—

863 (3) The department shall give priority to apprenticeship  
864 programs with demonstrated regional demand identified by the  
865 Labor Market Estimating Conference, such as health care  
866 programs. Grant funds may be used for instructional equipment,  
867 supplies, personnel, student services, and other expenses  
868 associated with the creation or expansion of an apprenticeship  
869 program. The department may award grants to expand only those  
870 existing programs that exceed the median completion rate and

871 employment rate 1 year after completion for similar programs in  
872 the region, or in the state if there are no similar programs in  
873 the region. Grant funds may not be used for recurring  
874 instructional costs or for indirect costs. Grant recipients must  
875 submit quarterly reports in a format prescribed by the  
876 department.

877 Section 18. Paragraph (a) of subsection (1) of section  
878 445.011, Florida Statutes, is amended to read:

879 445.011 Workforce information systems.—

880 (1) The department, in consultation with the state board,  
881 shall implement, subject to legislative appropriation, automated  
882 information systems that are necessary for the efficient and  
883 effective operation and management of the workforce development  
884 system. These information systems shall include, but need not be  
885 limited to, the following:

886 (a) An integrated management system for the one-stop  
887 service delivery system, which includes, at a minimum, common  
888 registration and intake, screening for needs and benefits, case  
889 planning and tracking, training benefits management, service and  
890 training provider management, performance reporting, executive  
891 information and reporting, and customer-satisfaction tracking  
892 and reporting.

893 1. The system should report current budgeting, expenditure,  
894 and performance information for assessing performance related to  
895 outcomes, service delivery, and financial administration for  
896 workforce programs pursuant to s. 445.004(5) and (10) ~~(9)~~.

897 2. The information system should include auditable systems  
898 and controls to ensure financial integrity and valid and  
899 reliable performance information.

900           3. The system should support service integration and case  
901 management by providing for case tracking for participants in  
902 welfare transition programs.

903           Section 19. Paragraph (a) of subsection (9) of section  
904 1011.80, Florida Statutes, is amended to read:

905           1011.80 Funds for operation of workforce education  
906 programs.—

907           (9) The State Board of Education and the state board as  
908 defined in s. 445.002 shall provide the Legislature with  
909 recommended formulas, criteria, timeframes, and mechanisms for  
910 distributing performance funds. The commissioner shall  
911 consolidate the recommendations and develop a consensus proposal  
912 for funding. The Legislature shall adopt a formula and  
913 distribute the performance funds to the State Board of Education  
914 for Florida College System institutions and school districts  
915 through the General Appropriations Act. These recommendations  
916 shall be based on formulas that would discourage low-performing  
917 or low-demand programs and encourage through performance-funding  
918 awards:

919           (a) Programs that prepare people to enter high-wage  
920 occupations identified by the Labor Market Workforce Estimating  
921 Conference created by s. 216.136 and other programs as approved  
922 by the state board as defined in s. 445.002. At a minimum,  
923 performance incentives shall be calculated for adults who reach  
924 completion points or complete programs that lead to specified  
925 high-wage employment and to their placement in that employment.

926           Section 20. This act shall take effect July 1, 2021.

## Total Employed

143,264

## Total Wages

\$3,777,618,678

## Average Wage

\$26,368

PROGRAM	AVERAGE WAGE
WIOA Adult	\$35,943
WIOA Dislocated Worker	\$41,127
WIOA Youth	\$17,062
Wagner-Peyser	\$26,138

EMPLOYMENT OBTAINED BY DEMOGRAPHIC	
Unemployed	112,701
Veterans	8,026
African Americans	50,166
Hispanic/Latino	36,273
Female	75,481
Male	63,828

\*Information provided above is for participants that exited the programs and were reported on the Program Year 2019-2020 Federal Report.

AVERAGE COST PER PARTICIPANT	
WIOA Adult	\$2,534
WIOA Dislocated Worker	\$13,115
WIOA Youth	\$8,861
Wagner-Peyser	\$103

## Services provided to participants

### WIOA

- Assessments
- Career counseling
- Labor market information
- On-the-job training
- Apprenticeships
- Incumbent work training
- Scholarships for training
- Support services (such as transportation, childcare)

### Wagner-Peyser

- Job referrals
- Resume building
- Labor market information
- Interview training
- Job fairs
- Recruitment for employers

## Programs:

### WIOA ADULT

**Program Purpose:** To increase the employment, job retention, earnings, and career advancement of U.S. workers by providing quality employment and training services to assist eligible individuals in finding and qualifying for meaningful employment, and to help employers find the skilled workers they need to compete and succeed in business.

**Target Populations:** Low Income Individuals; Basic Skills Deficient Individuals; Public Assistance Recipients; and Veterans.

### WIOA DISLOCATED WORKER

**Program Purpose:** To provide quality employment and training services to assist workers who have been laid off or have been notified that they will be terminated or laid off in finding and qualifying for meaningful employment, and to help employers find the skilled workers they need to compete and succeed in business.

**Target Populations:** Individuals who have been terminated or laid off through no fault of their own; Separating service members; Individuals who are displaced homemakers; Military spouses of active duty service members. Individuals dislocated from employment due to federally declared emergencies or disasters; and Long-term unemployed individuals (eligible for disaster events only).

**Note:** This population includes individuals from National Dislocated Worker Grants (NDWG) which offers training and temporary, disaster-relief employment opportunities resulting in increased costs per participant.

## ADULT AND DISLOCATED WORKER SERVICES

### Career Services

- Basic (e.g. career counseling, workforce and labor market information, referrals to partners)
- Individualized (e.g. assessments, work experience, transitional jobs)

### Support Services

- Assistance with transportation, childcare, books, uniforms or other appropriate work attire, work-related tools, needs-related payments, and other services that are necessary to enable an individual to participate in WIOA activities.

## Training Services

- Work-based (On-the-job, Registered Apprenticeship, Incumbent Worker, Customized)
- Occupational Skills Training (training from Eligible Training Providers (ETP))

## WIOA YOUTH

**Program Purpose:** Deliver a comprehensive array of services that focus on assisting out-of-school youth and in-school youth with barriers to employment and prepare for post-secondary education and employment opportunities, attain educational and/or skills training credentials, and secure employment with career/promotional opportunities.

**Target Populations:** In-school-youth (not younger than 14 or older than 21 a time of enrollment); Out-of-school youth (not younger than age 16 or older than 21 at time of enrollment).

**Note:** Priority if placed on out-of-school youth (75 percent of funds must be allocated for expenditures related for out-of-school youth services.)

## YOUTH SERVICES

- Tutoring
- Alternative secondary school services
- Paid and unpaid work experiences
- Supportive services
- Mentoring
- Comprehensive guidance and counseling
- Financial literacy education
- Postsecondary education and training preparation activities

## WAGNER-PEYSER

**Program Purpose:** Wagner-Peyser seeks to improve the functioning of the nation's labor markets by bringing together individuals seeking employment with employers seeking workers.

**Target Populations:** Wagner-Peyser is a universal program with a priority of service provided to veterans.

## WAGNER-PEYSER SERVICES

### Career Services

- Basic (e.g. resume assistance, workforce and labor market information, referrals to partner programs, referrals to job openings)

Measures	PY2018-2019 4th Quarter Performance - United States	PY2018-2019 4th Quarter Performance - Florida
<b>Adults:</b>		
Employed 2nd Qtr After Exit	71.30	85.70
Median Wage 2nd Quarter After Exit	\$6,170	\$8,272
Employed 4th Qtr After Exit	70.90	87.00
Credential Attainment Rate	62.30	84.20
<b>Dislocated Workers:</b>		
Employed 2nd Qtr After Exit	70.90	88.70
Median Wage 2nd Quarter After Exit	\$7,377	\$8,199
Employed 4th Qtr After Exit	71.70	86.70
Credential Attainment Rate	66.60	81.90
<b>Youth:</b>		
Employed 2nd Qtr After Exit	73.10	81.50
Employed 4th Qtr After Exit	72.60	80.10
Credential Attainment Rate	62.20	79.80
<b>Wagner Peyser:</b>		
Employed 2nd Qtr After Exit	68.30	66.00
Median Wage 2nd Quarter After Exit	\$5,789	\$5,335
Employed 4th Qtr After Exit	67.90	64.10

## Additional performance measured outlined in other state's WIOA 4-year plan

### Alabama

- Alabama will incrementally increase the percentage of WIOA funds used directly on job training over a 4-year period beginning with at least 45 percent in year one, 50% in year 2, 55% in year 3, and 60% in year 4.

### North Carolina

- Outreach & Engagement
  - Provide staff-assisted services to a percentage of the labor force that is equal to or larger than the annual unemployment rate for the Local Workforce Development Boards (WDB) Area.\*\*
  - Provide a staff-assisted service to at least 5% of all private businesses in the counties served by the local WDB.
  - At least 10% of all private businesses receiving staff-assisted services will be new customers.
  - At least 25% of all private businesses receiving staff-assisted services will be small businesses (<100 employees).
- Skills Gap
  - Provide training (classroom, on-the-job, and/or standardized training) services to at least 5% of adult participants.
  - Enroll at least 25% of youth served in the WIOA Youth program in a work-based learning activity. Process
- Process
  - Each WDB will engage in the creation of at least two NCWorks Certified Career Pathways. Evaluations will be tracked.
  - 100% of the local WDBs' career centers will be NCWorks Commission certified career centers. Certifications will be tracked.

### South Carolina

- Participant Cost Rate: The Participant Cost Rate Policy (State Instruction Letter 17-04, Change 1), requires that each LWDB meet a minimum participant cost rate of 30 percent. The annually evaluated rate is calculated using combined local WIOA Title I Adult and Dislocated Worker program expenditures, include carry-in and new funds.
- Fund Utilization: The Fund Utilization Policy (State Instruction Letter 17-05) requires each LWDB to meet an annual 70 percent fund utilization rate for each of the WIOA Title I funding streams (Adult, Dislocated Worker, and Youth). The rate is calculated by dividing total program and administration expenditures by total available funds (carry-in and current annual allocation) for each funding stream.
- Priority of Service: The Priority of Service Policy (State Instruction Letter 15-17, Change 2) requires that, for those Title I Adult participants receiving individualized career services and training, 70 percent be low-income or basic skills deficient. LWDBs are responsible for

establishing local procedures to comply with this policy and for conducting outreach to these priority populations.

Texas (did not include goals just what data would be reported to the Governor)

- Percentage of recent high school graduates enrolled at a Texas college or university
- Number of pre-kindergarten-age students served through the Texas Early Education Model
- Percentage of nursing graduates employed or enrolled in nursing graduate programs in Texas
- Percentage of Texans receiving TANF cash assistance
- Percentage of adult welfare participants in job training who enter employment
- Number of employees in targeted industry sectors
- Number of new small businesses created
- Number of new nongovernment, nonfarm jobs created
- Texas unemployment rate
- Number of Texans receiving job-training services

Pennsylvania

- Double the number of apprentices to 30,000 by 2025
- Increase the creation of registered pre-apprenticeship and apprenticeship programs, particularly in non-traditional occupations as part of its career pathway system building efforts.
- Increase recruitment efforts of registered pre-apprenticeship and apprenticeship programs to increase the number of individuals from non-traditional populations, such as women, minorities, re-entrants, and persons with disabilities, into these programs, while also ensuring opportunities are available to both youth and adults.
- The commonwealth will expand access to online education and training programs that result in a credential or certification of value
- The commonwealth will encourage employers, including those that receive state funds from economic development and other programs, to utilize the public workforce system.
- The commonwealth will increase co-enrollment of opportunity youth in WIOA Core and partner programs, when relevant, to ensure that appropriate funds are leveraged to provide necessary services to these individuals. The commonwealth will also encourage the use of individual training accounts when serving opportunity youth.

Below are Florida Workforce Development Association’s responses to questions/comments posed by the Florida House Education and Employment Committee on February 16, 2021.

In addition to information provided by the Florida Department of Economic Opportunity, FWDA offers this snapshot of the previous program year (19-20):

Program	total allocation to the 24 LWDBs	# rec' staff assisted services	Target population	types of services
Wagner-Peyser (includes salaries of state merit employees working in Career Centers)	26,875,071	194,909*	Wagner-Peyser is an employment program with no eligibility requirements and with a priority of service provided to veterans.	job search support, résumé prep, assessments, professional networking, recruitment events, access to resources such as computers and labor market information
WIOA Adult/Dislocated Worker	80,461,368	34,637	Low Income Individuals; Basic Skills Deficient Individuals; Public Assistance Recipients; and Veterans. Individuals who have been terminated or laid off through no fault of their own; Separating service members; Military spouses of active duty service members. Individuals dislocated from employment due to federally declared emergencies or disasters.	training that includes: <ul style="list-style-type: none"> <li>• work experience</li> <li>• occupational skills</li> <li>• OJT</li> <li>• Entrepreneurial</li> <li>• workplace learning</li> <li>• apprenticeships</li> </ul>
WIOA Youth	39,120,332	12,671	In-school-youth (not younger than 14 or older than 24 a time of enrollment); Out-of-school youth (not younger than age 16 or older than 24 at time of enrollment)	training that includes: <ul style="list-style-type: none"> <li>• work experience</li> <li>• occupational skills</li> <li>• entrepreneurial</li> <li>• apprenticeships</li> </ul>
Welfare Transition	52,514,907	16,769 open cases on June 29, 2020 compared to 5,166 open cases in June 2019.		

**\*This number does not include those who used the resources provided for job search that did not receive a direct service from staff.**

**This is in addition to serving 59,335 businesses in 2019-2020 and administering the Dislocated Worker Grant for disaster relief.**

## Salaries

### **LWDB executive salaries are monitored by DEO for compliance with federal regulations and salary cap**

The question regarding the salaries of the local workforce development boards has been answered by DEO. Each LWDB provides this information to DEO annually through a Salary Cap Certification process. The US Department of Labor requires certification inline with the salary caps imposed by the Federal Employment and Training Administration. Salaries of Executive Leadership is determined by local boards based upon longevity, performance, and size of region.

## Websites

### **LWDB websites must adhere to CareerSource Florida branding policy**

The Local Workforce Development Boards all follow the brand standards established by CareerSource Florida, including logos, fonts, color palettes, to ensure a unified look, feel and experience for businesses and job seekers. In addition, each website must reflect US Department of Labor's American Job Center logo and be ADA compliant. (see CSF's brand standards manual 8/31/2015).

Regarding inconsistencies on how the Eligible Training Providers Lists (ETPL) appear across the State and local websites, the required information is present on each website. The local workforce areas must and do provide all the necessary information to each customer seeking financial assistance through the WIOA program to cover costs to receive training/education.

On February 1, 2021, CareerSource Florida announced the creation of a policy development workgroup that includes DEO and representatives from the LWDBs to address the existing policies of the ETPL.

## LWDB Board Members

### **LWDB board members are selected according to federal and state regulations, which includes the following:**

The Workforce Innovation and Opportunity Act prescribes who shall be represented on the board of directors. LWDB board members are selected and approved by the Chief Local Elected Officials.

LWDB Board Members represent four categories:

- Majority are representatives of private business
- Not less than 20 percent are workforce representatives, i.e., labor or community-based organizations
- Entities administering education and training activities in the local area
- Government, including economic development

In accordance with Florida Statutes, Chapter 286, local boards operate under Florida's Sunshine Law

What are the occupations of board members? Board members on all LWDBs represent key industries across their regions in positions that include those owners of business concerns, chief executive or chief operating officers of non-governmental or other private sector executives who have substantial management or policy responsibility.

Do you have any board members who have contracts with your board? CareerSource Florida Policy prohibits local workforce development boards from entering a contract with one of its own board members unless they meet one of the following exemptions:

1. A contract with an agency (as defined in s. 112.312(2), including, but not limited to, those statutorily required to be board members) when said agency is represented by a board member and said member does not personally benefit financially from such contracts;
2. A contract with a board member or a vendor (when a board member has any relationship with the contacting vendor when the contract relates to the member's appointment to the board under the WIOA Title 1, Section 107(b)(2)(A)(vi);
3. A contract with a member receiving a grant for workforce services under federal, state or other governmental workforce programs;
4. A contract between a board and a board member which is not exempted under paragraphs II(a), II(b) or II(c) where the board documents exceptional circumstances and/or need and the board member does not personally benefit financially from the contract. Based upon criteria developed by CareerSource Florida, and the Department of Economic Opportunity shall review the board's documentation and assure compliance.

Such contracts, may not be executed before or without prior submission to the Department of Economic Opportunity for review and recommendation to CareerSource Florida, Inc.

A contract under \$25,000 between the Board and a member of the board is not required by State policy to have prior approval of CareerSource Florida, Inc., but must be approved by two-thirds vote of the local board, a quorum having been established, and must be reported to the Department of Economic Opportunity.

Whenever a conflict of interest exists, the conflict must be declared in an open meeting and the member must abstain from voting.

Is it common to have board members who have contracts with the board? Only in instances as outlined above.

Do you have many that have contracts that exceed the \$25,000? Depending on the region and their needs, the number of contracts may vary. However, any contract with a board member must comply with the policy and be submitted to, reviewed by and/or approved by CareerSource Florida or the Department of Economic Opportunity.

### **Eligibility and Services:**

#### **The LWDBs must follow federal eligibility and program requirements**

What do you do if someone comes in who isn't eligible? Assuming this is related to WIOA-eligibility for training services, we will attempt to connect the customer to other community resources/partners that might be able to assist with funding, and provide all other universal services (assessment, labor market information, referrals to jobs and workshops such as resume writing, ace the interview, employability skills, etc.)

Is the Wagner-Peyser dictated or limited by the amount of funding?

Wagner-Peyser funds the labor exchange activities in the CareerSource Florida Network by bringing together individuals seeking employment with employers seeking workers. The program is not directly limited by the amount of funding as there are no client-related costs associated with Wagner Peyser services. These are universal services but WP budget affects service-delivery capacity (i.e., facilities/overhead).

What is your sense of the consistency of services across all the one stop centers? OPPAGA indicated they were not consistent. Each LWDB has a comprehensive Career Center that provides access to all services and required partners. Service delivery is designed to meet the needs of each community by the Board of Directors of each LWDB, which includes private business and community stakeholders.

Unlike retail chains, for example, whose success is rooted in their consistency in service delivery, product consistency, etc., it would be detrimental to the communities we serve should this standard be applied to the workforce development system. Communities, job seekers, and businesses vary and the strength of an LWDB lies in its ability to be flexible and responsive to the needs of the communities we serve. The variation in service delivery is an example of this kind of flexibility and value to Floridians.

## **Wrap-Around Services**

**Wrap-around services, commonly called support services, may be provided to eligible individuals who are unable to obtain services through other programs.**

The majority of energy and effort of local workforce boards is focused on individuals with significant barriers to employment and as such wrap around services play a key role in success. Local boards design their services to fill gaps and enhance the availability of wrap around services. Florida is a diverse state and resources available within communities vary by region, so the boards work directly with individuals to make sure the gaps are filled enabling the individual to achieve success.

Local Boards routinely pay for tuition, books, fees, uniforms, transportation, and post-certification testing required for licensing as well as supplies needed for training. Examples of supplies would range from welding helmets to stethoscopes.

Local workforce boards may pay for additional services, depending on the rules of the funding source, or work with other partners to provide the wrap around services. These are areas where strong partnerships are required both to provide the services and to avoid duplication of effort. The goal is to overcome barriers that prevent the individual from being successful in a career that provides economic self-sufficiency. It is important to note that all cases are handled on a case by case basis to determine the best path to success.

Examples of the additional wrap around services provided by a board or another entity through referral include:

1. Food Assistance
2. Emergency Shelter/Housing
3. Transportation assistance (gas cards, bus passes)
4. Needs-related payments, stipends for attending classes
5. Childcare
6. Clothing, including uniforms
7. Tools needed for education or employment
8. Counseling
9. Health and Wellness

**Would the wrap around services be provided with someone you have a contract with?**

Some services may be provided through a direct contract and others may be provided through a localized referral network. Each board maintains a list of partners that can provide wrap around services with the local board stepping in to fill gaps. For example, a faith-based partner in one part of the region may provide transportation assistance that isn't available to individuals from another part of the region. In this case a local board may utilize the faith-based group where available but pay for transportation where they don't have a local provider to provide or pay for the service.

## Training

**Classroom training paid for with WIOA must be in a local demand occupation, high performing and customer choice driven.**

LWDBs provide training services in accordance with WIOA, Sec. 134, Use of Funds for Employment and Training Activities and related regulations. Excerpts from TEGL 3-15 below:

Training services must be provided through an Individual Training Account, where the LWDB pays tuition and training-related services to the eligible training provider or through a contract if such training is not available. LWDBs do not provide vocational training.

These regulations require that the LWDB must determine that the individual seeking training “has the skills and qualifications to successfully participate in the selected program of training services.” This is referred to as the “ability to benefit” and some regions may use the TABE or other assessments to determine what is needed for the individual’s success.

The selection of training services should be conducted in a manner that maximizes customer choice.

### **Providers added/removed from the Eligible Training Provider Lists (ETPL)**

**State ETPL ensures the accountability, quality and labor-market relevance of programs and ensures informed customer choice.**

Training providers may be added to the ETPL by fulfilling the requirements established by the State and LWDB. This includes, at a minimum, licensure through the State’s Commission for Independent Education, supplies student-based information to FETPIP annually and meets performance criteria as applicable.

Providers may be removed from the ETPL. This can happen for several reasons, but the most common one being the training is for an occupation where demand changes and the training is no longer in demand either permanently or for a time (due to market saturation). Other reasons include widespread negative feedback from participants about the quality of training; poor outcomes and/or there are administrative issues with reporting, billing, etc.; that cannot be remedied.

### **Welfare Transition Program**

**LWDBs follow the state and federal requirement for work-related participation.**

Federal and State (445) TANF E&T rules requires participation in work-related activities. Participation in a GED or high school completion program cannot count toward this requirement for anyone over age 20. Some local regions may use online resources for this training on the customer’s behalf so that they may study for the high school diploma or its equivalent while the participant participates in an allowable activity.

If the participant chooses to participate in community work experience, the number of hours is proportional to the amount of temporary cash assistance combined with the value of supplemental nutrition assistance. The calculation of hours uses the State minimum wage and, while conducting work experience, the participant is considered an employee of the State for purposes of workers’ compensation coverage.

## Facilities

### **Some LWDBs rent space from the State at a much reduce rate than market value**

The majority of the LWDBs are non-profit entities not State or county entities. The State does own buildings that LWDBs lease for their one stop career centers – also referred to as REED Act buildings. The square footage price covers the cost of operating and maintaining the building (i.e. utilities, janitorial services, landscaping, building insurance, maintenance, and repairs, etc.) An example for Sarasota County – the square foot price is currently \$13.98 which is well below the local commercial market rate.

### **Are there protocols to make sure employment numbers and wages are accurate that are being reported by employers?**

#### **DEO pulls performance data from information reported directly by employers.**

For performance purposes, the LWDBs do not report employment numbers or wages to DEO. The employment and wage information are provided directly to DEO from the Department of Revenue who has received it directly from the employer.

## FWDA

### **The Florida Workforce Development Association, FWDA, is a voluntary association of the local workforce development boards.**

A primary purpose of FWDA is to build capacity through education, training and technical assistance to its members. The main venue to build capacity among all employees, from front-line programmatic staff to executive leadership is the annual Workforce Summit. The agenda from our last Workforce Summit is attached to this document.

As the Career Centers do not close during this training, many of the workshops are designed as ‘train the trainer’, so that the participant may return to their region equipped to train the appropriate staff.

FWDA has not had a dues structure in place for three years. This will be revisited upon the expansion of membership recently recommended by DEO and approved by the membership.

Here is a sampling best practices shared among the members:

- Looking to use best practice for Target Occupational Listing (in planning phase)
- Trade Adjustment Assistance policy development
- Development and training of MIS staff
- Joint creation of Welfare Transition orientation videos (in process)
- ongoing group policy and program development efforts
- handling of COVID and office reopening and service deliver structure
- New Board Member Orientation & Governance Training
- Monthly Board Member Education
- Meeting the needs of Small Business: Employer Roundtables
- Effective and Compliant Board Member Recruitment Process
- Succession Planning Task Descriptions to ensure Continuity of Operations
- Mentoring 5 new Directors
- Effective Reports to the Board
- Building Strong Community Partnerships

- Understanding Infrastructure Costs and Working with Mandated Partners
- Best HR Practices: Employee Handbook
- How to write Policies and Local Operating Procedures
- Meeting the needs of Youth with Barriers
- Creation of Infrastructure Funding Agreements (IFA)
- Convening community partners, who and how to invite stakeholders
- Google Ad Grants Program

Members of the Florida Workforce Development Association (FWDA) fully support strengthening the state's workforce development system. In that spirit, the members of FWDA offer these recommendations and would welcome the opportunity to further explore ways to achieve a high level of accountability and transparency while they provide the highest level of services to Floridians as they strive to improve their employability.

- Quarterly or Bi-annual monitoring completed by external independent monitors would provide more accountability and more frequent feedback to the local boards and the Chief Elected Official. \*\*Some smaller boards may have budget constraints securing these services.
- Replicate the staffing model of the veteran's programs with other partners, such as Vocational Rehabilitation and the Division of Blind Services
- State-level DEO, as the State Agency, to serve on the Local Workforce Development Board (not jointly managed staff)
- State coordinated MOU/IFA
- Common intake amongst partners
- Determine common data between DEO and DOE to be shared in the best interest of the student.
- Determine a method to capture and report data on the thousands of Floridians who benefit from the workforce development system.
- Require all individuals receiving reemployment assistance to give consensus to DEO to share their contact information with the Local Workforce Development Boards so that outreach may be conducted.
- US DOL waivers to provide flexibility in the delivery of services, including the opportunity to provide more services to in-school youth (high school)
- Implement the Wagner-Peyser Act staffing flexibility rule issued by the US DOL, Employment and Training Administration (ETA) on January 2020.
- Require the use of Employ Florida as the labor exchange tool for State agencies, their vendors, and graduating seniors from our State College and University System
- Adopting a community-wide referral system to coordinate services

USDOL State Monitoring Review Matrix							
State or Local Issue	Finding Number	Description	Condition	Local Issue	Impact/Resolution		
State	1	Noncompliance with Board Composition	The SWDB does not meet representation requirements for WIOA.	Y	We are short on Levy reps. Working with Nominating Committee.		
State	7	Eligible Training Provider List does not Include Required Information	The LWDB Eligible Training Provider Lists (ETPLs) for LWDBs 2, 9 and 23 does not include required performance information.	Y	We are revising our local TOL to include all elements		
State	13	Noncompliance with Youth Policies and Guidance	The State's policies and procedures are incomplete and inconsistent with WIOA Youth program federal regulations and guidance.	Y	We need to review local policy to ensure our definition if ISY/OSY, 'requires additional assistance' and Basic Skills Deficient are clearly defined.		
Local	22	Noncompliance with IEP Development Requirements	The review found that the CSSF is not using participant assessment results to develop an IEP and identify the need for WIOA training services.	Y	We need to verify that our IEPs reference the Customer Profile assessment when setting goals		
Local	25	Approved Occupational Training from non-ETPL Providers	During the review of case files, two (2) participants (IDs # 15006764 and 8486531) received training from courses that are not on the ETPL.	Y	We must eliminate use of the TOL Variance form for programs that are not on our, or any other regions TOL as listed at www.floridajobs.org		
Local	26	Improper Extension of Enrollment Dates for Adult, DW, and Youth Participants	Case file review found that AJC staff manually extended participants' enrollment in the WIOA Adult, DW and Youth programs when participants had no services for 90 days and no planned additional services.	Y	We need to review any cases that have been in activity 125 Job Search over 180 days		
Local	29	LWDB Lacks Parent and Youth Involvement in Program Design	The LWDB's youth program design lacks the involvement and input of parents, youth participants, and community members.	Y	We need to review quantity/quality of feedback received through Net Promoter to see if this feedback would qualify. May need to tailor our survey to include more general feedback.		
Local	31	Lack of Access and Referrals to the WIOA Youth Program	LWDBs do not comply with local requirements for WIOA Youth program access and referrals.	Y	We need to review access to Youth services in all centers. We need to ensure that all Youth are served initially even if a direct referral to a Youth CDC can not be done that day.		
Local	33	Local Area Determining Youth Participation Based on Age	The local Career Center refers young, potential participants to either the WIOA Youth or Adult program, based on their age.	Y	We need to ensure staff are aware of expanded Youth services available to individuals up to age 24 depending on eligibility		
Local	36	Lack of Youth Follow-Up Opt-out Requirements	The LWDB does not make the opt-out of follow-up services as required by law, available to youth participants. The youth service provider contract provisions do not include language that addresses the opt-out clause for youth follow-up services. The LWDB does not have any policy that covers the follow-up requirements	Y	We will need to add to our Youth Services contract Scope of Work and make sure both Youth and AD/DW include methods for opting out of follow-up services (note this is not quarterly follow-up)		
Local	42	Noncompliance with Grievance Process Requirements	CSSF handles most complaints and grievances through informal resolution procedures, but lacks a monitoring process to track resolution of those complaints and grievances.	Y	We need to institute a formal written policy and tracking database in HR with outcome/resolution determinations		
Local	47	Inadequate Procedures for Processing ES and Employment-Related Law Complaints	CSSF complaint procedures do not comply with the ES and Employment-Related law procedures. Career center staff do not use ETA Form 8429 to record complaints. The complaint form used by CSSF staff does not solicit all required information necessary to process a complaint.	Y	We need to conduct a full review of the complaint log process (although current policy set by DEO does not meet federal requirements as mentioned in the federal report)		
State	2	Incomplete SWDB Member Vacancy Policy	The State does not have a policy or process in place for the nomination of SWDB members when a vacancy occurs.	N			
State	3	Lack of SWDB Statewide Policy Development Delegation Procedures	The State indicated that policy development activity is a function of both DEO and CSF staff. DEO is responsible for administrative policies, and CSF staff are responsible for strategic policy.	N			
State	4	Absence of SWDB Staff Hiring Policy	The SWDB does not have a policy for hiring staff.	N	Located in our Job Descriptions		
State	5	Noncompliance with Local Plan Requirements	CSSF, the local area visited as part of this review, is operating from a 2016 Local Plan.	N	Our current plan is 2020-2024 posted on website		
State	8	Lack of a Needs-Related Payment Policy	The State does not have a Needs-Related Payment policy to define the method for determining level of needs-related payments, the eligibility criteria and the payment amount.	N	This was put to local decision in current policy		
State	9	Noncompliance with Incumbent Worker Training Policy Requirements	CareerSource Florida has not updated its current Incumbent Worker Training Policy to meet WIOA regulations.	N	We have OPS-83 to address all work-based programs		
State	10	Inadequate Monitoring and Oversight of the LWDB Youth Program Design	The State's monitoring tool is insufficient to adequately assess and ensure LWDBs compliance with federal, state, local, and other	N			
State	11	Lack of Required Youth Statewide Activities for Youth Eligible Provider List	The State is not disseminating the list of eligible providers of youth activities.	N			
State	12	Lack of SWDB Criteria for Selection of Youth Providers	The State has not developed the criteria that local boards must use in awarding grants for youth workforce investment activities, nor have they issued procurement guidance for youth provider	N			
State	14	Inaccurate MIS Youth Program Service Codes and Descriptions	Case managers in CSSF are not properly capturing and reporting program element services provided to participants. They did not enter into the system several services that were required and incorporated into their service strategies for youth participants.	N	This is an EF issue with DEO		
State	15	Lack of Adult Priority of Service Policy	The State does not have an Adult Priority of Service Policy.	N	Local policy has been updated to reflect WIOA verbiage and matches the updated CSF policy		
State	16	Lack of Dislocated Worker Policies	The State does not have a Dislocated Worker eligibility policy.	N	We have a comprehensive eligibility policy for all WIOA programs.		
State	17	Noncompliance with Pass-through Entity Requirements	The State's sub-award agreement does not reflect the provision of workforce development activities as prescribed in the WIOA regulations and the Uniform Administrative Requirements. The Grantee/Sub-grantee Agreement template provided was from the year 2012, which predates the implementation of WIOA and the Uniform Administrative Requirements.	N			
State	18	Lack of Adult and DW Funds Transfer Policy	LWDBs may transfer 100 percent of funds between the two (2) programs; however, the current transfer policy does not establish factors and criteria to allow for the transfer of funds between Adult and DW programs.	N			

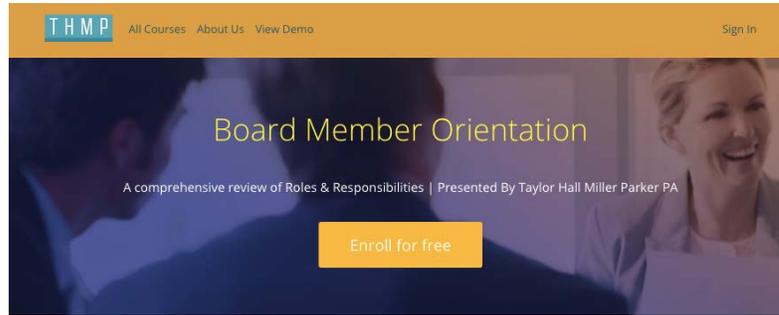
State	19	Incomplete Processes in Employment Services and Employment-Related Law Complaint Policy	Florida provided the DEO Employment Service Complaint Resolution System Handbook as its Employment Services (ES), employment-related law, and discrimination complaint policy. Several parts of the policy did not comply with federal regulations. The period of performance for the current Florida WOTC grant is from 10/01/2018 to 09/30/2020. Quarterly audits were not performed for Fiscal Year (FY) 2018 Quarter 4 (July – September 2018), FY 2019 Quarter 3 (April – June 2019), and FY 2020 Quarter 1 (October – December 2019).	N	
State	20	WOTC Quarterly Audits Were Not Completed as Required		N	
Local	21	Noncompliance with “Sunshine Provision”	CSSF does not meet the WIOA Sunshine Provision requirements in the areas of affiliation of LWDB members, selection of one-stop operators, award of grants or contracts to eligible training providers of workforce investment activities, including providers of youth workforce investment activities, minutes of formal LWDB meetings, and LWDB by-laws. The participant files reviewed showed enrollment of participants employed after a mass recruitment with an employer into WIOA and then into customized training.	N	We have current requirements on our website. All procurements are publicly advertised. Minutes and by-laws are posted
Local	23	Lack of Customized Training Policy and Guidance		N	Local policy is in effect
Local	24	Lack of Incumbent Worker Training Policy	The LWDB failed to develop an Incumbent Worker policy. The youth participants’ Individual Service Strategy (ISS) plans template fail to incorporate Career pathways as a standard requirement. The LWDB is responsible for establishing the requirements of the ISS as part of designing the framework of services, and ensuring that program services comply with these requirements.	N	Local policy is in effect
Local	28	Lack of Career Pathways in Standard Youth Service Provisions	CSSF’s WIOA youth enrollment process does not comply with the law. One or more of the four (4) required activities were not completed prior to enrollment of the youth into the WIOA youth program.	N	
Local	30	Incomplete Enrollment Process for Youth	CSSF’s guidance for WIOA youth program eligibility is inconsistent, incorrect, and not in compliance with WIOA and state requirements.	N	
Local	32	Noncompliance with WIOA Youth Eligibility Policy Guidance		N	Contained in OPS-39. Our policy follows WIOA regs.
Local	38	Inadequate Monitoring and Oversight of Local Youth Program Design and Fiscal Requirements	The LWDB’s current monitoring processes does not ensure that providers are meeting all of the program and contract requirements, or that participants are receiving the services as required by WIOA. The LWDBs did not have a method to track and monitor the five percent eligibility exception for those qualifying under the “requires additional assistance” criteria	N	
Local	39	Lack of Adult Priority of Service Policy	The LWDB’s priority of services and special populations’ policy does not comply with WIOA regulations.	N	State and local policy have been updated
Local	40	Lack of Dislocated Worker Policies	The LWDB has does not have a required Dislocated Worker policy for determining eligibility.	N	Our policy meets requirements
Local	41	Inadequate Contract Administration Processes	CSSF’s one stop operator and youth provider contracts contain provisions for performance incentive payments for each Title I	N	The youth contract triggers payment on positive outcome
Local	43	SCSEP Memorandum of Understanding Not in Place AARP Foundation Sub-Grantee and Host Agency, SCSEP	The LWDB has not entered into a MOU and IFA Agreement with the local SCSEP provider, AARP. As a direct provider of services listed in Section 121 of the WIOA, AARP Foundation is a required partner and must enter into an MOU, including an Infrastructure Funding Agreement (IFA), with the AJC in the LWDBs where it provides those direct services. The Host Agency did not have policies governing the development of training plans and the delivery of training services. The participant files did not document regular contact between host agency staff and participants to discuss participants’ employment goals and documentation of participants’ training milestones.	N	We do not have sub-recipient relationships with MOU partners.
Local	44	No Host Agency Policies to Govern Training Plan Independent Living Facility Host Agency, SCSEP		N	We do not have sub-recipient relationships with MOU partners.
Local	45	No Joint IEP and Service Plan Development between the Sub-Grantee, Host Agency, and Participants	The sub-grantee and host agency did not have a policy that provides guidance in the development of a participant’s IEP.	N	We do not have sub-recipient relationships with MOU partners.
Local	46	No Joint IEP and Service Plan Development between the Sub-Grantee, Host Agency, and Participants	The sub-grantee and host agency did not have a policy that provides guidance in the development of a participant’s IEP.	N	We do not have sub-recipient relationships with MOU partners.
Local	48	Incorrectly Recording Job Referrals and Placements during Mass Recruitments	Career center staff incorrectly recorded job referrals and placements. Growers and farm labor contractors (FLCs) organize mass recruitment events onsite at the employer’s location, and AJC staff assist workers with completing I-9 forms to verify work authorization. These farmworkers are also enrolled as ES Program participants. CSSF does not have a policy to document the required eight (8) case management services to trade-affected workers. Without the policy, the State and LWDB could not demonstrate that they provide or offer these eight employment and case management services to eligible workers.	N	We do not process I-9 documentation
Local	49	Lack of Trade Adjustment Assistance (TAA) Case Management Policy		N	Our policy specifically references the 8 case management services.
Local	50	Noncompliance with 504 Disability Requirements	CSSF one-stop career centers do not comply with disability, physical and programmatic accessibility requirements. Individuals with disabilities cannot access the water fountain, door, bathroom or parking lot in two (2) of the centers. In addition, the career centers do not provide language translation services for all non-English speaking individuals, as well as individuals who are blind or deaf.	N	Our centers have been certified for accessibility by local and DEO monitors. Internal review occurs every two years.
State	6	Noncompliance with “Sunshine Provision”	Florida State Policy 2018.09.26.A.1 identifies a number of items that must be available via website by the State and local boards to meet the Sunshine Provision requirements. The local plan does not describe the method for ensuring that the 14 youth program elements are available. The plan lists some services available through the local WIOA Youth program, but the description and specific reference to the availability of the 14 elements within the framework is missing.	N	All areas covered under the sub-grantee have been added to the website
Local	27	Lack of 14 Youth Element Design Framework in Local Plan		N	Our plan specifically addresses the 14 youth elements with examples of how they will be provided
Local	34	Not All 14 Youth Elements Made Available	The LWDB is not providing access to all 14 youth elements. The elements noted as unavailable included: occupational skills training, leadership development opportunities, entrepreneurial skills training, and adult mentoring.	N	All 14 elements available or through referral to partnering agencies
Local	35	Work Experience (WEX) Activities Do Not Include Occupational and Academic Components	Work experience services provided to youth program participants do not include the required academic and occupational education components. CSSF does not have a policy for the provision of incentives for youth program participants. A review of participant files revealed that incentive payments are entered into the participant record system as supportive services. Incentive payments are allowable; however, incorrectly reporting them as supportive service payments could impact the participants’ ability to receive needed supportive service assistance.	N	Each agreement lists the specific academic and occupational skills to be learned throughout the experience.
Local	37	Lack of Local Area Youth Incentive Policy		N	

## How to Access BOARD MEMBER ORIENTATION Training

URL: <https://workforce-academy.thinkific.com/courses/board-member-orientation-py20-21?thug=eeade279>

**Note:** Thinkific supports the 2 most recent versions of **Chrome, Firefox, Safari and Edge** browsers.

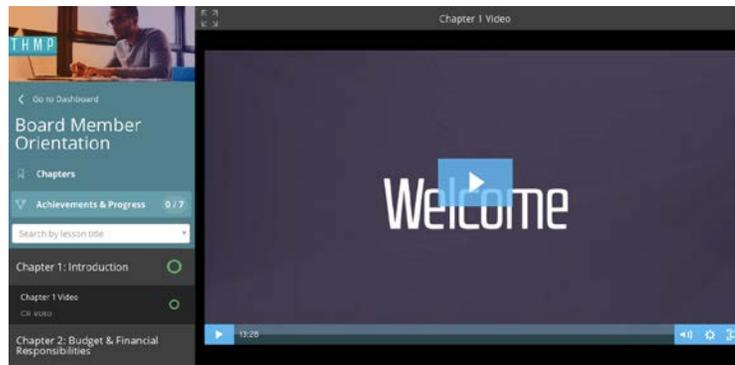
1. First, be sure to log-on to THMP Workforce Academy using the course URL (above), which takes you to the course landing page (below). Click on “Enroll for Free”:



2. Fill out the Enrollment Form (below) and click “Create Account.” If you already have an account, click “I already have an account” and log-in as you normally would:

The screenshot displays an enrollment form. At the top, there is a small video thumbnail showing a man in a suit. Below the thumbnail, the text reads 'Enroll in Board Member Orientation for free'. The form consists of four input fields: 'First Name', 'Last Name', 'Email', and 'New Password'. Each field is a simple white box with a light gray border. Below these fields is a large orange button labeled 'Create Account'. At the bottom of the form, there is a link that says 'I already have an account!'.

3. Once enrolled, you'll automatically be directed to the course curriculum (below), where you can begin watching the course videos.



**APPLICATION FOR SUBSEQUENT LOCAL WORKFORCE DEVELOPMENT AREA DESIGNATION**

<b>LOCAL WORKFORCE AREA INFORMATION</b>	
<b>NAME OF LOCAL AREA:</b> CareerSource Citrus Levy Marion	
<b>LWDB NUMBER:</b> 10	
<b>DATE OF SUBMISSION:</b> 3/16/2021	
<b>CONTACT PERSON NAME:</b> Thomas E. Skinner, Jr.	<b>PHONE:</b> 352-873-7939 ext. 1204  <b>EMAIL ADDRESS:</b> rskinner@careersourceclm.com
<b>PERFORMED SUCCESSFULLY</b>	
THE TERM "PERFORMED SUCCESSFULLY" MEANS THE LOCAL WORKFORCE DEVELOPMENT AREA MET OR EXCEEDED THE ADJUSTED LEVELS OF PERFORMANCE FOR PRIMARY INDICATORS OF PERFORMANCE FOR THE LAST TWO CONSECUTIVE YEARS FOR WHICH DATA ARE AVAILABLE, AND THE LOCAL AREA HAS NOT FAILED THE SAME INDIVIDUAL MEASURE FOR THE LAST TWO CONSECUTIVE PROGRAM YEARS.	
<b>SUSTAINED FISCAL INTEGRITY</b>	
THE TERM "SUSTAINED FISCAL INTEGRITY" MEANS THAT THE SECRETARY OF LABOR HAS NOT MADE A FORMAL DETERMINATION, DURING EITHER OF THE LAST TWO CONSECUTIVE YEARS PRECEDING THE DETERMINATION REGARDING SUCH INTEGRITY, THAT EITHER THE GRANT RECIPIENT OR THE ADMINISTRATIVE ENTITY OF THE AREA HAS MISEXPENDED FUNDS PROVIDED.	

BY SIGNING BELOW, THE LOCAL CHIEF ELECTED OFFICIAL AND THE LOCAL WORKFORCE BOARD EXECUTIVE DIRECTOR CERTIFY THAT THE LOCAL AREA HAS PERFORMED SUCCESSFULLY AND SUSTAINED FISCAL INTEGRITY FOR SUBSEQUENT DESIGNATION OF THE EXISTING LOCAL AREA.

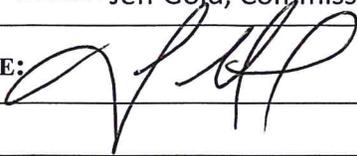
<b>LOCAL WORKFORCE BOARD EXECUTIVE DIRECTOR</b>	
<b>NAME:</b>	Thomas E. Skinner, Jr.
<b>SIGNATURE:</b>	
<b>DATE:</b>	3/10/2021

**LOCAL CHIEF ELECTED OFFICIAL**

**NAME AND TITLE:** Jeff Gold, Commissioner

**COUNTY:** Marion County, Consortium Chair

**SIGNATURE:**



**DATE:**

3/10/2021

**LOCAL CHIEF ELECTED OFFICIAL**

**NAME AND TITLE:**

**COUNTY:**

**SIGNATURE:**

**DATE:**

**LOCAL CHIEF ELECTED OFFICIAL**

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**COUNTY:**

**SIGNATURE:**

**DATE:**

**LOCAL WORKFORCE DEVELOPMENT BOARD (LWDB) MEMBERSHIP**

LOCAL WORKFORCE DEVELOPMENT BOARD NAME: CareerSource Citrus Levy Marion - 10

NAME OF LWDB MEMBERS	AREA(S) OF REPRESENTATION	NOMINATING ORGANIZATION	DEMOGRAPHICS	PERIOD OF APPOINTMENT
Theresa Flick	WOD - Workforce-Community-based	Key Training Center	F - Fem; W - White (not Select cc	06/30/20 06/30/24
Charles Harris	OTHER - Other (please specify group)	Central Florida Community Action Agency	M - Male; B - Black/Afric; Select cc	01/25/18 06/30/21
Ted Knight	WOV - Workforce-Community-based	Marine Corp. League	M - Male; B - Black/Afric; V - Vet	06/30/20 06/30/23
Fred Morgan	WOLO - Workforce-Labor Organizati	IBEW Local Union 222	M - Male; W - White (not V - Vet	06/30/20 06/30/25
Fred Morgan	WOJ - Workforce-Joint labor-manage	IBEW Local Union 222	M - Male; W - White (not V - Vet	02/28/20 06/30/25
Jorge Martinez	WOY - Workforce-Community-based	FL DCF	M - Male; W/H - White ar; Select cc	06/30/19 06/30/22
Carol Jones	ETPA - Education and Training Provi	School Board of Levy County	F - Fem; W - White (not Select cc	06/30/19 06/30/23
David Pieklik	GREDD - Government Representative	Citrus County Economic Development	M - Male; W - White (not Select cc	03/10/21 06/30/21
Judy Houlios	GREDD - Government Representative	Ocala Housing Authority	F - Fem; W - White (not Select cc	06/30/19 06/30/22
Angie White	GRVRD - Government Representativ	FL Vocational Rehab	F - Fem; B - Black/Afric; Select cc	02/28/20 06/30/24
Mark Vianello	ETPA - Education and Training Provi	Marion County Public Schools	M - Male; W - White (not Select cc	06/30/19 06/30/22
Pete Beasley	ETPC - Education and Training Provi	Rasmussen College	M - Male; W - White (not Select cc	06/30/20 06/30/24
Pete Beasley	BU - Business	Rasmussen College	M - Male; W - White (not Select cc	06/30/20 06/30/24

## LWDB BOARD MEMBERSHIP

(Continued)

NAME OF LWDB MEMBERS	AREA(S) OF REPRESENTATION	NOMINATING ORGANIZATION	DEMOGRAPHICS	PERIOD OF APPOINTMENT
Debra Stanley	ETPA - Education and Training Provider-A	Citrus EDC	F - Female O - Other Select code...	06/30/19 06/30/23
Darlene Goddard	BU - Business	Ocala EDC	F - Female W - White (not Hispa Select code...	06/28/16 06/28/21
Jeff Chang	BU - Business	MRMA	M - Male O - Other Select code...	02/25/19 06/30/23
Arno Protor	BU - Business	MRMA	M - Male W - White (not Hispa Select code...	02/28/20 06/30/24
Rachel Riley	BU - Business	Citrus EDC	F - Female O - Other Select code...	06/30/20 06/30/24
Brandon Whiteman	BU - Business	Benefits Advisors	M - Male W - White (not Hispa Select code...	02/25/19 06/30/22
Mike Melfi	BU - Business	Champs Software	M - Male W - White (not Hispa Select code...	06/28/19 06/30/23
John Hemken	BU - Business	MRMA	M - Male W - White (not Hispa Select code...	06/12/20 06/30/23
Al Jones	BU - Business	CEP	M - Male W - White (not Hispa Select code...	06/30/19 06/30/23
Kim Baxley	BU - Business	NCBDC	F - Female W - White (not Hispa Select code...	01/25/18 06/30/22
William Burda	BU - Business	EDAC	M - Male W - White (not Hispa Select code...	03/01/17 06/30/21
Pat Reddish	BU - Business	Ocala EDC	F - Female W - White (not Hispa Select code...	06/30/19 06/30/22
Kevin Cunningham	BU - Business	Citrus EDC	M - Male W - White (not Hispa Select code...	06/28/16 06/30/21
Kathy Judkins	BU - Business	CEP	F - Female B - Black/African Arr Select code...	06/28/16 06/30/21
Nelson Mathis, Jr.	WOLO - Workforce-Labor Organization	IBEW Local Union 1205	M - Male W - White (not Hispa Select code...	06/30/20 06/30/24
John Murphy	BU - Business	Citrus Chamber	M - Male W - White (not Hispa Select code...	03/10/21 06/30/23
Equilla Richardson	BU - Business	MRMA	F - Female B - Black/African Arr Select code...	03/10/21 06/30/23
Mark Paugh	ETPC - Education and Training Provider-In	College of Central Florida	M - Male W - White (not Hispa Select code...	06/28/16 06/30/21
	Select an Area...		Select a G Select a Race/Ethnic Select code...	

## AREA(S) OF REPRESENTATION CODES

BU – Business

WOLO – Workforce-Labor Organization

WOJ – Workforce-Joint labor-management Apprenticeship Program

WOD – Workforce-Community-based Organizations representing Individuals with Disabilities (optional)

WOV – Workforce-Community-based Organizations representing Veterans (optional)

WOY – Workforce-Community-based Organizations representing Youth (optional)

ETPA – Education and Training Provider-Adult Education and Literacy

ETPC – Education and Training Provider-Institution of Higher Education

ETPO – Education and Training Provider-Other Providers (optional)

GRED – Government Representative-Economic Development

GRES – Government Representative-Employment Service

GRVRD – Government Representative-Vocational Rehabilitation

GRO – Government Representative-Other (optional)

OTHER – Other (please specific group/program being represented) (optional)

## DEMOGRAPHICS CODES

### **GENDER CODES**

M – Male

F – Female

### **RACE/ETHNIC CODES**

W – White (not Hispanic)

B – Black/African American (not Hispanic)

W/H – White and Hispanic

B/H – Black and Hispanic

O – Other

### **OTHER CODES**

D – Disabled individual

OI – Older individual

V – Veteran

**PY 2018 & PY 2019 FLORIDA WORKFORCE INDICATORS OF PERFORMANCE**

**LWDA 10 – CareerSource Citrus Levy Marion**

**July 1, 2018 – June 30, 2019 Outcomes**

<b>Measures</b>	<b>PY2018-2019 1st Quarter Performance</b>	<b>PY 2018-2019 % of Performance Goal Met For Q1</b>	<b>PY2018-2019 2nd Quarter Performance</b>	<b>PY 2018-2019 % of Performance Goal Met For Q2</b>	<b>PY2018-2019 3rd Quarter Performance</b>	<b>PY 2018-2019 % of Performance Goal Met For Q3</b>	<b>PY2018-2019 4th Quarter Performance</b>	<b>PY 2018-2019 % of Performance Goal Met For Q4</b>	<b>PY 2018-2019 Performance Goals</b>
<b>Adults:</b>									
Employed 2nd Qtr After Exit	90.40	106.35	91.80	108.00	94.90	111.65	94.60	111.29	85.00
Median Wage 2nd Quarter After Exit	\$8,090	118.10	\$7,782	113.61	\$7,655	111.75	\$7,825	114.23	\$6,850
Employed 4th Qtr After Exit	88.70	108.17	85.60	104.39	89.80	109.51	89.20	108.78	82.00
Credential Attainment Rate	88.70	104.35	89.10	104.82	91.40	107.53	90.10	106.00	85.00
<b>Dislocated Workers:</b>									
Employed 2nd Qtr After Exit	100.00	120.48	100.00	120.48	100.00	120.48	100.00	120.48	83.00
Median Wage 2nd Quarter After Exit	\$11,339	165.53	\$12,569	183.49	\$12,233	178.58	\$11,003	160.63	\$6,850
Employed 4th Qtr After Exit	85.70	114.27	88.90	118.53	100.00	133.33	100.00	133.33	75.00
Credential Attainment Rate	100.00	133.33	100.00	133.33	100.00	133.33	100.00	133.33	75.00
<b>Youth:</b>									
Employed 2nd Qtr After Exit	87.00	116.00	85.40	113.87	85.50	114.00	78.10	104.13	75.00
Employed 4th Qtr After Exit	65.90	95.51	71.40	103.48	70.10	101.59	77.20	111.88	69.00
Credential Attainment Rate	92.80	109.18	93.90	110.47	98.50	115.88	98.50	115.88	85.00
<b>Wagner Peyser:</b>									
Employed 2nd Qtr After Exit	66.70	107.58	66.70	107.58	67.20	108.39	68.40	110.32	62.00
Median Wage 2nd Quarter After Exit	\$4,841	99.81	\$4,902	101.07	\$4,997	103.03	\$5,120	105.57	\$4,850
Employed 4th Qtr After Exit	69.00	107.81	67.60	105.63	66.30	103.59	66.90	104.53	64.00

Not Met (less than 90% of negotiated)
Met (90-100% of negotiated)
Exceeded (greater than 100% of negotiated)

**PY2019 & PY 2020 FLORIDA WORKFORCE INDICATORS OF PERFORMANCE**

**LWDA 10 – CareerSource Citrus Levy Marion**

**July 1, 2019 – June 30, 2020 Outcomes**

<b>Measures</b>	<b>PY2019-2020 1st Quarter Performance</b>	<b>PY 2019-2020 % of Performance Goal Met For Q1</b>	<b>PY2019-2020 2nd Quarter Performance</b>	<b>PY 2019-2020 % of Performance Goal Met For Q2</b>	<b>PY2019-2020 3rd Quarter Performance</b>	<b>PY 2019-2020 % of Performance Goal Met For Q3</b>	<b>PY2019-2020 4th Quarter Performance</b>	<b>PY 2019-2020 % of Performance Goal Met For Q4</b>	<b>PY 2019-2020 Performance Goals</b>
<b>Adults:</b>									
Employed 2nd Qtr After Exit	96.00	112.68	95.00	111.50	93.70	109.98	92.40	108.45	<b>85.20</b>
Median Wage 2nd Quarter After Exit	\$7,088	103.47	\$7,045	102.85	\$6,870	100.29	\$6,807	99.37	<b>\$6,850</b>
Employed 4th Qtr After Exit	91.90	111.39	92.70	112.36	91.90	111.39	92.70	112.36	<b>82.50</b>
Credential Attainment Rate	89.40	101.59	86.00	97.73	85.40	97.05	85.70	97.39	<b>88.00</b>
<b>Dislocated Workers:</b>									
Employed 2nd Qtr After Exit	100.00	120.19	100.00	120.19	100.00	120.19	100.00	120.19	<b>83.20</b>
Median Wage 2nd Quarter After Exit	\$12,991	189.65	\$10,276	150.01	\$10,276	150.01	\$10,710	156.35	<b>\$6,850</b>
Employed 4th Qtr After Exit	100.00	131.58	100.00	131.58	100.00	131.58	100.00	131.58	<b>76.00</b>
Credential Attainment Rate	100.00	132.98	100.00	132.98	80.00	106.38	75.00	99.73	<b>75.20</b>
<b>Youth:</b>									
Employed 2nd Qtr After Exit	77.70	102.91	77.20	102.25	78.70	104.24	83.30	110.33	<b>75.50</b>
Employed 4th Qtr After Exit	81.60	117.92	78.80	113.87	76.40	110.40	77.20	111.56	<b>69.20</b>
Credential Attainment Rate	98.00	114.89	98.70	115.71	98.60	115.59	98.60	115.59	<b>85.30</b>
<b>Wagner Peyser:</b>									
Employed 2nd Qtr After Exit	72.40	116.40	72.80	117.04	73.00	117.36	73.70	118.49	<b>62.20</b>
Median Wage 2nd Quarter After Exit	\$5,321	109.71	\$5,520	113.81	\$5,503	113.46	\$5,478	112.95	<b>\$4,850</b>
Employed 4th Qtr After Exit	67.30	104.83	67.50	105.14	70.70	110.12	72.00	112.15	<b>64.20</b>

<b>Not Met (less than 90% of negotiated)</b>
<b>Met (90-100% of negotiated)</b>
<b>Exceeded (greater than 100% of negotiated)</b>

# ROBERT A. STERMER

ATTORNEY AT LAW  
7480 SW HIGHWAY 200  
OCALA, FLORIDA 34476

TELEPHONE: (352) 861-0447

E-MAIL: SV1@ATLANTIC.NET

FACSIMILE: (352) 861-0494

March 12, 2021

Honorable Ashley Moody  
Attorney General  
Office of the Attorney General  
State of Florida  
The Capitol  
Tallahassee, FL 32399-1050

RE: Request for Attorney General Opinion re: Citrus Levy Marion Regional Workforce Development Board, Inc.

Dear Attorney General Bondi:

This office represents the Board of Directors of the Citrus Levy Marion Regional Workforce Development Board, Inc. ("CLM"), a special district of the State of Florida and an entity which is a subgrantee of the Florida Department of Economic Opportunity ("DEO") for various workforce development funds provided by the United States Department of Labor. By unanimous vote of the Executive Committee of CLM, I have been asked to request you to render an opinion on the following question:

Whether a contract provision required by DEO in its contract with CLM and with all sixteen (16) of the other subgrantees to administer Federal workforce development funds is unenforceable as a matter of public policy, or, if enforceable, that CLM and its Board members will not be liable either civilly or criminally for enforcing the contractual provision. Specifically, whether the contractual provision is consistent with the provisions of Florida Statutes §286.011(2) and Florida Statutes §445.007(1) requiring that there be public access to all meetings of the Board and its various committees or whether Board members and employees declaring a conflict of interest may lawfully be excluded from Board Meetings and subcommittee meetings without subjecting the Board to potential non-criminal and Board members to potential criminal penalties.

## Factual Background

In 2014 the Congress of the United States enacted Public Law 113-128 which is commonly known as the "Workforce Innovation and Opportunity Act of 2014" ("WIOA"). WIOA established a program to prepare youth and unskilled adults for entry into the labor force and to afford job training to those economically disadvantaged individuals and other individuals facing serious barriers to employment who are in special need of such training to obtain productive employment.

WIOA required the State of Florida to designate Service Delivery Areas (“SDAs”) to promote the effective delivery of job training services and further provided that a consortium of units of general local government might constitute such an SDA. The Governor of the State of Florida has designated a consortium of Citrus, Levy and Marion Counties to constitute one such Service Delivery Area. The aforementioned counties subsequently entered into an Interlocal Agreement which created CLM as their Regional Workforce Board. CLM is incorporated under the laws of the State of Florida as a not-for-profit corporation.

Recently, DEO required each SDA, including CLM, to enter into a Subgrantee Agreement (a copy of which is attached to the Accompanying Memorandum of Law) which specifies how subgrantees shall administer WIOA funds. That agreement contains a provision which requires Board members who declare a conflict of interest to leave Board meetings while the matter which was the subject of the conflict of interest declaration is discussed and voted upon. CLM’s Board is concerned that enforcement of the provision, which is apparently contrary to both Florida Statutes §289.011(1) and Florida Statutes §445.007(1) may result in CLM being assessed up to a \$500 non-criminal fine as set forth in Florida Statutes §286.011(3)(a) or individual Board members being subject to the criminal provisions of §286.011(3)(b). Accordingly, the CLM Board is seeking an Attorney General’s opinion as to the correct course of action.

This is a matter of some urgency for the Board as it will be voting at its upcoming June meeting to enter into a number of contracts for which various Board members may have conflicts of interest. Given the analysis contained in the attached Memorandum of Law, without an Attorney General’s opinion one way or the other, I feel it would be inadvisable for any Board member to attend the June Board meeting, much less vote on any matter coming before the Board.

Should you require any further information in regard to the foregoing, please do not hesitate to contact me. I remain,

Very truly yours,

Robert A. Stermer

RAS/ydw  
Enclosure

## Memorandum of Law

From: Robert A. Stermer  
Counsel for Citrus Levy Marion Regional Workforce Development Board, Inc.

To: Ashley Moody  
Attorney General, State of Florida

Date: March 12, 2021

Subject: Validity of a contractual provision between the State of Florida Department of Economic Opportunity (“DEO”) and the Citrus Levy Marion Regional Workforce Board, Inc., a Florida Special District (“CLM”) requiring CLM Board members and employees who declare a conflict of interest at a Board or committee meeting to leave the meeting room while the matter necessitating the declaration of conflict of interest is discussed and voted upon.

### 1. Introduction.

The Workforce Innovation and Opportunity Act, Pub. L. 113-128, (“WIOA”) is the federal legislation which sets forth the conditions under which states may receive various funds from the federal government to facilitate the development of its workforce. Chapter 445 of Florida Statutes, Workforce Services, sets forth Florida’s implementation of the requirements of WIOA.

In accordance with WIOA, Chapter 445 requires the Governor to designate Regional Service Delivery Areas (“SDAs”) to receive and administer WIOA funds. The Governor has established seventeen (17) such areas. One of the SDAs encompasses Citrus, Levy and Marion Counties. Those counties entered into an Interlocal Agreement to establish the Citrus Levy Marion Regional Workforce Development Board, Inc., a non-profit corporation (“CLM,”) to administer the WIOA funds allocated to the three county SDA. CLM has been determined to be a Special District by the then Department of Community Affairs, now a bureau/unit within DEO.

In accordance with WIOA and Chapter 445, DEO and CLM entered into a Grantee-Subgrantee Agreement (“Agreement”<sup>1</sup>) to delineate the duties and responsibilities of the parties with respect to funds administered under Chapter 445. A copy of the Agreement is attached hereto as Exhibit “A.” The provision in question, Paragraph 15.c.i. , provides in pertinent part:

i. Prior to entering into any Related Party Contract with any Related Party, the proposed Related Party Contract must be brought before the Board for consideration and approval. The Board shall ensure that: (i) the Board member or employee with the conflict removes himself or herself from the room prior to any discussions at any meeting, including subcommittee meetings, involving the contract; (ii) the Board member or employee with the conflict is not physically present during the voting; and (iii) the Board member with the conflict abstains from any vote regarding the Related Party Contract.

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<sup>1</sup> Referred to as a Memorandum of Understanding in F.S. §445.009(4).

The problematic portions of the above-quoted provision are subsections (i) and (ii) which require the Board to ensure that Board members or employees having a conflict remove themselves from the room prior any discussion involving a proposed contract and further require Board Members to not be physically present during voting. There is no dispute as to subparagraph (iii) which requires Board members to abstain from voting on any matter for which they have a conflict of interest. The Board is concerned that enforcement of subparagraphs (i) and (ii) will subject the Board to a potential non-criminal penalty under Florida Statutes §286.011(3)(a) and could subject Board members to potential criminal liability under Florida Statutes §286.011(3)(c)) merely for the act of attending a Board or committee/subcommittee meeting. Thus, the Board seeks guidance as to whether the contractual provision quoted above is unenforceable as a matter of public policy, or, if enforceable, that CLM and its Board members will not be liable either civilly (as to the Board) or criminally (as to the individual Board members in attendance) for enforcing the contractual provision.

## 2. The Law.

The starting point for analysis is the Florida Constitution which provides in Article I, Section 24 as follows:

### Access to Public Records and Meetings

(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

**(b) All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public<sup>2</sup> and meetings of the legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.**

(c) This section shall be self-executing. **The legislature, however, may provide by general law passed by a two-thirds vote of each house for the exemption of records from the requirements of subsection (a) and the exemption of meetings from the requirements of subsection (b), provided that such law shall state with specificity the public necessity justifying the exemption and**

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<sup>2</sup>Emphasis added.

**shall be no broader than necessary to accomplish the stated purpose of the law.**<sup>2</sup> The legislature shall enact laws governing the enforcement of this section, including the maintenance, control, destruction, disposal, and disposition of records made public by this section, except that each house of the legislature may adopt rules governing the enforcement of this section in relation to records of the legislative branch. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsections (a) or (b) and provisions governing the enforcement of this section, and shall relate to one subject.

(d) All laws that are in effect on July 1, 1993 that limit public access to records or meetings shall remain in force, and such laws apply to records of the legislative and judicial branches, until they are repealed. Rules of court that are in effect on the date of adoption of this section that limit access to records shall remain in effect until they are repealed.

Florida Statutes, §286.011(1) and (2) provide m:

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

It is clear from the Florida Constitution that the public is required to be allowed access to all meetings unless a specific statutory exemption exists. A review of the Florida Statutes finds no law exempting Workforce Development Boards from the Application of Article I, Section 24. In fact F.S. §445.007(1) subjects Workforce Development Boards to Art. I, Section 24 of the Florida Constitution and to Florida Statutes Chapters 119 and 286 in their entirety. Specifically, F.S. §445.007(1) provides, “Regional workforce boards are subject to chapters 119 and 286 and s. 24, Art. I of the State Constitution.” Thus, there is no question as to the applicability of both Art I, s.24 of the Florida Constitution and Chapters 119 and 286 of Florida Statutes.

However, there may be a question as to whether Board members and CLM employees are members of the “public” for the purposes of the Florida Constitution and Chapter 286. Unfortunately, the term “public” is nowhere defined in Chapter 286 as it applies to who is entitled

to access public records or attend meetings.

The term “public” is indirectly defined in Florida Statute §119.07(1)(a) in regard to public records wherein it is stated “(1)(a) Every person who has custody of a public record shall permit the record to be inspected and copied by **any person** desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.” Thus, it is clear that Chapter 119 applies to public records requests received from “any person” and as Florida Statutes §286.011 applies to requests from the “the public,” it appears that the term “the public” means any person. This conclusion is further buttressed by the concluding sentence of F.S. §286.011(2) which grants jurisdiction to the Circuit Courts to enforce the section upon application by **any citizen** of the state. It would also seem that the term applies to both public records and public meetings, as it would be a very odd interpretation indeed which would hold that for the purpose of accessing public records, the Chapter 286 reference to the “public” applies to “any person,” but for the purpose of attendance at public meetings, Chapter 286 applies to a restricted subset of the population. This is especially true given that exemptions from the requirements of Art. I, s.24 of the Florida Constitution require a two-thirds vote of both houses of the Florida Legislature, “such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law,” and no such vote has occurred.

This position is supported by both prior Attorney General opinions and Court decisions. In AGO 79-01 the Attorney General approvingly pointed out that Webster’s Third International Dictionary defined “public” to mean “the people as a whole,” and that the staff of a municipal housing authority were members of the public as well as employees of the Housing Authority and hence could not be excluded from its meetings. In *Port Everglades Authority v. Int’l Longshoremen’s Ass’n, Local 1922-1*, 652 So. 2d 1169 (Fla. 4<sup>th</sup> DCA 1995) the Court held that a mere request for bidders to leave the room while their competitors made presentations on their bids not only violated the Sunshine Law but caused the contracts issued to be invalidated. In AGO 99-53 the Attorney General ruled that the Sunshine law must be “broadly construed to effect its remedial and protective purpose.” The Attorney General cited *Times Publishing Company v. Williams*, 222 So. 2d 470.473(Fla. 2d DCA 1969) which states “each. . . step [in the decision making process] constitutes an “official act,” an indispensable prerequisite to “formal action,” within the meaning of the act.” AGO 99-53 goes on to point out that the Florida Supreme Court has held in *Town of Palm Beach v. Gradison*, 296 So. 2d 473 (Fla. 1974) that the Sunshine Act extends to include the inquiry and discussion stages of public meetings.

Federal law also contains provisions designed to promote public access to Board activities. Specifically §107(e) of WIOA provides:

(e) SUNSHINE PROVISION.—The local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce investment activities, and on request, minutes of formal meetings of the local board

Thus it would seem that the subject contract clause would also violate Federal law in that a member of the public, the excluded Board member, might be denied access to “information concerning [Board] open meetings [and], information regarding the activities of the local board.”

Further explanation of this provision is provided in 20 C.F.R. § 679.390 below:

**§ 679.390 How does the Local Workforce Development Board meet its requirement to conduct business in an open manner under the “sunshine provision” of the Workforce Innovation and Opportunity Act?**

The Local WDB must conduct its business in an open manner as required by WIOA sec. 107(e), by making available to the public, on a regular basis through electronic means and open meetings, information about the activities of the Local WDB. This includes:

- (a) Information about the Local Plan, or modification to the Local Plan, before submission of the plan;
- (b) List and affiliation of Local WDB members;
- (c) Selection of one-stop operators;
- (d) Award of grants or contracts to eligible training providers of workforce investment activities including providers of youth workforce investment activities;
- (e) Minutes of formal meetings of the Local WDB; and
- (f) Local WDB by-laws, consistent with § 679.310(g).

The exclusion of Board members from Board meetings could violate a number of the foregoing provisions of 20 C.F.R. § 679.390 , the most obvious of which is subsection (d), the “[a]ward of grants or contracts to eligible training providers of workforce investment activities including providers of youth workforce investment activities.”

From the foregoing it seems quite clear that, absent a specific statutory exemption, any contractual provision between two state agencies or between a state agency and any entity which by statute has been made subject to Chapters 119 and 286 can not limit the access of the public to meetings at any stage in the decision making process. To do so would constitute a prima facie violation of the Sunshine Law, the WIOA and the Code of Federal Regulations and such contractual provisions should be held void as against public policy. Anything less would fly in the face of logic and sound precedent.

3. Conclusion.

From the perspective of the CLM Board, although its members believe that laws

should be applied consistently and so as to achieve their stated purposes, if the Attorney General opines that it is lawful for the Board to exclude Board members from Board and subcommittee meetings when discussing and voting on matters for which the member has a conflict of interest and that such exclusion will not result in the imposition of a fine on CLM and if the Attorney General also opines that Board members will not face potential criminal liability for attending a Board meeting at which another Board member is excluded as the result of a conflict of interest and if the Attorney General opines that contracts entered into while following the requirements of the Agreement are not invalid as a result, then the Board is quite prepared to proceed based on that opinion. However, it is the Board's belief and position that the contractual provision under review clearly should be held void as a matter of public policy until such time as the legislature enacts a law creating an exception to deal with Regional Workforce Board member conflicts of interest.



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021  
Consortium Meeting, Wednesday, March 10, 2021**

### **TOPIC/ISSUE:**

Memorandum of Agreement between CLMWDC and CLMRWDB

### **BACKGROUND:**

The new state policy on "Governance" requires a specific designation about negotiating performance standards with the state. Language was added that provides that both the CLMWDC and CLMRWDB shall approve the goals negotiated by senior management at their next meetings.

Two instances where WIA was not updated to WIOA have been corrected.

### **POINTS OF CONSIDERATION:**

The agreement will be presented to the CLMRWDB at its March 24, 2021 Board meeting.

### **STAFF RECOMMENDATIONS:**

Approve amended Agreement.

### **CONSORTIUM ACTION:**

Commissioner Meeks made a motion to approve the amendments to the Memorandum of Agreement. Commissioner Schlabach seconded the motion. Motion carried.

### **BOARD ACTION:**

**MEMORANDUM OF AGREEMENT**

**BETWEEN**

**THE CITRUS, LEVY, MARION REGIONAL WORKFORCE DEVELOPMENT BOARD, INC.**

**AND**

**THE CITRUS, LEVY, MARION WORKFORCE DEVELOPMENT CONSORTIUM**

**THIS AGREEMENT** is made and entered into between the Citrus, Levy, Marion Regional Workforce Development Board, Inc., hereinafter referred to as the **CLMRWDB**, and the Citrus, Levy, Marion Workforce Development Consortium, hereinafter referred to as the **CLMWDC**, for the purpose of establishing a Workforce Development Partnership, as authorized and provided for under Public Law 113-128, enacted by the Congress of the United States, which act is known as the "Workforce Innovation and Opportunity Act (herein after referred to WIOA), and Florida Statutes (F.S.) Chapter 445, and for the purpose of establishing an integrated management and control structure for the provision of job training, job placement and related benefits service.

**WITNESSETH:**

**WHEREAS**, the receipt and expenditure of WIOA funds authorized for certain Workforce Development Programs within local Workforce Development Areas (WDA) are dependent upon the establishment of a partnership between business and government; and

**WHEREAS**, the Governor on the part of the State of Florida has designated the counties of Citrus, Levy and Marion as a WDA; and

**WHEREAS**, the Counties of the WDA each represented by an Elected Official appointed by the governing board, have formed the **CLMWDC** through adoption of an Amended Interlocal Agreement pursuant to Florida Statutes, Chapter 163.01 to carry out these local governments' responsibilities within their collective and respective boundaries for the purpose of Workforce Development; and

**WHEREAS**, the **CLMRWDB**, representing business by its private sector majority, has been duly appointed by the **CLMWDC**; and

**WHEREAS**, the **CLMRWDB** is empowered and has the responsibility under the WIOA to provide policy guidance for, and exercise oversight with respect to, activities under a Plan for the WDA in partnership with the **CLMWDC**; and

**WHEREAS**, the WIOA requires the **CLMRWDB** and the **CLMWDC** to define the scope of their partnership by means of an Agreement; and

**WHEREAS**, the U.S. Department of Labor, has encouraged the development of a workforce development system governed by local workforce investment boards; and

**WHEREAS**, the purpose of these local boards is to develop local workforce development policies and strategies; to oversee the management and administration of those policies and strategies; and to develop an approach which consolidates the delivery of those workforce development strategies into a comprehensive, customer-centered system at the local level in concert with the chief elected officials of the local governments; develop broad regional plans that promote economic development through a trained workforce; and

**WHEREAS**, within the WDA comprised of Citrus, Levy and Marion Counties, there currently exists an effective, efficient and highly successful delivery system of federally and state-funded employment and training programs which are not customer-centered; and

**WHEREAS**, the programs envisioned under the control of the local workforce development boards include, but are not limited to, those funded through the WIOA, the Wagner-Peyser Act, Perkins vocational training, school-to-work transition programs, vocational rehabilitation, Job Opportunity Basic Skills Program (JOBS), Welfare to Work (WTW), Supplemental Nutritional Assistance Program (SNAP), Re-Employment Services and other workforce development programs and services;

**NOW THEREFORE**, be it resolved that this Agreement be made and entered into by the **CLMRWDB** and **CLMWDC** pursuant to WIOA, and that the parties mutually agree as follows:

I. Authorities and Responsibilities Held Jointly by CLMRWDB and CLMWDC

A. It is the joint responsibility and responsibility of both parties to ensure effective service delivery to provide the most beneficial program services possible to the eligible residents of the WDA. It is further the shared responsibility of all sectors of the community to participate in the provision of program services.

B. **CLMWDC** hereby designates CLMRWDB as the grant recipient and administrative entity for the WDA for the period July 1, 2020 through June 30, 2025.

C. **CLMRWDB** and **CLMWDC** shall jointly submit an approved local Workforce Development Plan to the Governor in accordance with the provisions of the WIOA and other applicable laws. CLMRWDB shall develop, in concert with other workforce investment boards within the workforce development region prescribed by the Governor, and present to the CLMWDC, a regional workforce development plan in accordance with Section 106 (c) of WIOA, to be approved and forwarded to the Governor.

D. **CLMRWDB** and **CLMWDC** shall decide the allocation of funds for the Workforce Development Plan's Budget.

E. **CLMRWDB** and **CLMWDC** shall jointly select and approve of the One Stop Operator.

F. CLMRWDB and CLMWDC shall jointly approve locally negotiated performance measures. These measures will be negotiated by the senior management of CLWRWDB and presented to CLMRWDB for review and approval; and then to CLMWDC for final approval at the next regularly scheduled meetings of each body. CLMRWDB staff shall report performance metrics to each body at least quarterly. Any performance incentives shall be incorporated into the operational budget for the general good of the workforce area.

G Because the WIOA indicates that a partnership exists that requires mutual agreement on certain matters, any disputes between the partners to this Agreement shall be resolved by a mutually satisfactory negotiation. It is understood that in accordance with the WIOA, the failure to resolve any dispute to the mutual satisfaction of both parties regarding the WFR's make-up, submission of the Workforce Development Plan, designation of an administrative entity and grant recipient, or **CLMRWDB's** make-up shall result in the forwarding of the unresolved matter to the Governor of the State of Florida for resolution.

## II. Authorities and Responsibilities of the CLMRWDB

**CLMRWDB** shall:

A. Develop, review and approve the Workforce Development Plan for the WDA and the Regional Plan (WIOA, 106 (c);

- B. Provide policy guidance in the development of Workforce Development activities and for the provision of services;
- C. Provide oversight of Workforce Development programs, activities and services conducted under the Workforce Development Plan;
- D. Solicit the input and participation of the local business community in the development and provision of program services to eligible residents of the WDA;
- E. Develop By-Laws to determine its operation;
- F. Have the authority to:
  - 1. Develop and approve a budget for itself within the parameters established in the Workforce Development Plan's provisions and WIOA Budget contained therein;
  - 2. Select and hire a staff; and establish criteria for its chief executive to be approved by CLMWDC;
  - 3. Develop and prepare five year local and regional Workforce Development Plans for approval by the **CLMRWDB** and by the **CLMWDC**;
  - 4. Provide staff support to the **CLMWDC**;
  - 5. Collect data necessary for management and evaluation and the preparation of required and desired reports;
  - 6. Exercise oversight with respect to activities under the Workforce Development Plan;
  - 8. Arrange for service delivery through non-financial agreements; and contracts.
  - 9. Procure all goods, services and property, including the maintenance and inventorying thereof, necessary for its proper operation;
  - 10. Procure annual audits of funds and resolve any questions arising therefrom and provide copies of same, as well as an audited financial statement, to the **CLMWDC** annually;

11. Develop and maintain procedures to hear and resolve grievances;
12. Perform such other duties as are necessary to fulfill its obligations and responsibilities under this Agreement and applicable Federal and State laws, rules, policies and plans;
13. Procure director's and officer's and other liability insurance on behalf of itself and the **CLMWDC** to the extent that such insurance is available, budgetarily feasible, and allowable as an expense;
14. Provide quarterly reports to the **CLMWDC**; and
15. Remove **CLMRWDB** members for cause per procedures established by the **CLMWDC**; and

III. Authorities and Responsibilities of the CLMWDC

The **CLMWDC** shall:

- A. Review and approve the Workforce Development Plans for the WDA and Regional Programs;
- B. Provide public policy guidance in the development of job training activities and provision of services under the Workforce Development Plan;
- C. Establish the **CLMRWDB**, appoint members to the **CLMRWDB** if such authority is delegated to individual **CLMWDC** members by their respective county commissions (absent such delegation the power to appoint **CLMRWDB** members from any of the three counties shall reside in the respective County commissions and the power to appoint area representatives shall reside in the three county commissions or in their respective **CLMWDC** representatives authorized to appoint members, if any) and maintain the make-up of the **CLMRWDB** in compliance with the requirements of the WIOA, F. S, Chapter 445 and other applicable laws on a continuous basis, all in accordance with the agreement which created the **CLMRWDB**; and
- D. Suggest such changes in the organization, composition and management of the **CLMRWDB** or shall be desirable to best meet the needs of the citizens of the counties within the WDA.

IV. Term of Agreement

This Agreement shall become effective July 1, 2020 and shall continue in effect until June 30, 2025. Thereafter, this Agreement may be renewed by a further writing between the parties.

V. Merger

It is understood and agreed that the entire Agreement between the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof. All items and other agreements referred to in this Agreement are incorporated herein by reference, and are deemed to be part of this Agreement. This Agreement replaces all prior Agreements between the parties as to the subject matter hereof as of the effective date of this Agreement.

VI. Amendment

Either party to this Agreement may propose to amend or modify the terms of this Agreement consistent with applicable Federal and State laws, Federal Regulations and State requirements, by providing to the other party sixty (60) days written notice of any proposed amendments. Any and all modifications or amendments to this Agreement are subject to the approval of both the **CLMRWDB** and **CLMWDC**.

VII. Independence of Terms Under This Agreement

If any terms or provisions of this Agreement or the application thereof to any person or circumstance shall, to any extent be held invalid or unenforceable, the remainder of this Agreement, or the application of such term or provision to such person or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and every other term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement on the \_\_\_\_ day of \_\_\_\_\_, 2021, and hereby agree to be bound by the terms and provision set forth herein effective July 1, 2020.

**Citrus, Levy, Marion Regional Workforce  
Development Board, Inc.**

BY: \_\_\_\_\_  
Kim Baxley, Chair

\_\_\_\_\_

\_\_\_\_\_  
Witnesses as to CLMRWDB

**Citrus, Levy Marion Workforce  
Development Consortium**

BY: \_\_\_\_\_  
Commissioner Jeff Gold,  
Consortium Chair

\_\_\_\_\_

\_\_\_\_\_  
Witnesses to CLMWDC



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021**  
**Consortium Meeting, Wednesday, March 10, 2021**

### **TOPIC/ISSUE:**

Florida Department of Corrections Grant acceptance

### **BACKGROUND:**

We originally accepted a grant from Worldwide Interactive Network (WIN) in the fall of 2019 to provide employment and training services to incarcerated individuals at the Lowell Correctional facility who were within 180 days of release. The goal of the project is to better prepare individuals with backgrounds to more easily reintegrate into the workforce and reduce recidivism. Those services were halted in the spring of 2020 due to Covid-19 restrictions and inaccessibility to the facility due to Covid. Restrictions are beginning to be lifted and we are ready to begin services again.

### **POINTS OF CONSIDERATION:**

Our work plan has been approved by WIN for the remaining quarter of this program year (ending June 30, 2021). If funding is accepted it will allow for the provision of services at the Lowell facility beginning March 30 through the end of the program year. It is our goal to provide services for the duration of the next program year (July 1, 2021 – June 30, 2022). We will address a contract modification with the Board if funding is approved going forward.

### **STAFF RECOMMENDATIONS:**

Approve acceptance of the WIN sub-award for services at Lowell Correctional Institute in the amount of \$20,123.00.

### **COMMITTEE ACTION:**

### **BOARD ACTION:**



## **RECORD OF ACTION/APPROVAL**

### **Board Meeting, Wednesday, March 24, 2021 Performance and Monitoring Committee, Tuesday, February 9, 2021**

#### **TOPIC/ISSUE:**

Independent Monitoring Report for WIOA, Welfare Transition (WT) and SNAP

#### **BACKGROUND:**

Underwood Sloan & Associates is our contracted third-party monitoring firm. They have completed a review of the WIOA, WT, and SNAP programs and policies.

#### **POINTS OF CONSIDERATION:**

The following report details the areas that were monitored and any issues found. One area of special note is the review of the WIOA policies. Underwood Sloan tested our local operating procedures against the recent policy revisions issued by the DEO. The recommended policy adjustments are incorporated into this report. Revision of local operating procedures will be reviewed by the committee and Executive committee as well as the DEO for approval.

#### **STAFF RECOMMENDATIONS:**

Accept the attached monitoring report and recommended policy revisions.

#### **COMMITTEE ACTION:**

William Burda made a motion to accept the monitoring report and accept the recommended changes to local policies. Fred Morgan seconded the motion. Motion carried.

#### **BOARD ACTION:**

# PROGRAMMATIC MONITORING

**Underwood Sloan and Associates and  
Indelible Business Solutions**

Preliminary findings of CareerSource Citrus Levy Marion's programmatic processes and procedures for the Workforce Innovation and Opportunity Act and Welfare Transition programs.

**Draft  
Report**

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## Executive Summary

Underwood, Sloan and Associates, LLC (USA) and Indelible Business Solutions were contracted to conduct programmatic and fiscal monitoring services for CareerSource Citrus Levy Marion (CSCLM). We aim to provide meaningful results through a holistic review of program processes in order to improve CSCLM operations, enhance services to the business community, and ensure quality assistance to those seeking employment and training opportunities.

Based on the contracted scope of work, the initial monitoring contained herein was focused on programmatic activities and program centric financial systems and controls and included interviews with frontline, mid-, and senior level staff. The monitoring included the review of randomly sampled program participant files, payments (training and support services), and payment processes for the Workforce Innovation and Opportunity Act (WIOA) Adult and Youth Programs and the Welfare Transition (WT) Program. The case file review included issuance of supportive services, needs based payments, tuition assistance, and payments made through work-based learning agreements such as On the Job Training (OJT), Customized Training, and Paid Internship and Work Experience agreements.

The review analyzed the validity of all payments as well as a review of CSCLM’s processes and controls to ensure compliance with federal and state laws, regulations, and statutes. Finally, the review also provides suggestions for increased efficiencies for the current processes of payment management.

Findings	Twelve Findings
Other Noncompliance Issues	Five Other Noncompliance Issues
Observations	Ten Observations

Overall, the review found that CSCLM’s programmatic processes and procedures for these programs conform to applicable state and federal regulations. As the third highest performing Local Workforce Development Board (LWDB) in the State of Florida based on the PY2019-20 Statewide Indicators of Performance report, material findings of noncompliance were minimal. However, many opportunities are present for local office policy creation and/or updates to provide detailed guidance to program staff on many case management functions and processes to establish and reinforce compliance protocol.

## Review Scope

During the October 1, 2020 introductory meeting with CSCLM and USA executive staff, it was determined that a three-day on-site monitoring visit would suffice to kick-off the programmatic review. During the initial visit, conducted October 6-8, 2020 at the Marion County office, staff were interviewed to gain a thorough understanding of the physical handling of the cases for the WIOA and WT programs, including case management, systems processing, and data requirements. Staff provided program policies, forms, and other material to support the internal processes that were explained in detail. At the conclusion of the site-visit, electronic access was granted to the reviewer for the systems necessary to review and test sample participant case files, specifically the Employ Florida, Atlas, One-Stop Service Tracking (OSST), and Gazelle systems.

The remainder of the programmatic review was conducted remotely.

In order to provide a holistic overview of CSCLM processes, not only for compliance with state and federal regulations but also to provide recommendations for efficiencies and improvements, the review included the following:

- A comprehensive evaluation of local office policies for sufficient guidance and compliance.
- A review of prior programmatic monitoring results from the Department of Economic Opportunity (DEO) to identify recurring issues or material findings for process improvement consideration.
- Testing a sample of WIOA Adult and Youth cases utilizing the DEO programmatic monitoring tool.
- Testing a sample of WT cases utilizing the DEO programmatic monitoring tool.
- A review of the sample participant case files for recommendations not included in the DEO programmatic monitoring tools.

All the items reviewed above were evaluated against and/or compared with the following as applicable:

- DEO-LWDB Grantee-Subgrantee Agreement
- DEO Administrative Policies and Final Guidance Papers, Communiqués, and Memoranda
- Federal regulations
- State statutes
- US Department of Labor Employment and Training Administration's Training and Employment Notices (TENs) and Training and Employment Guidance Letters (TEGLs)
- The Workforce Innovation and Opportunity Act
- The State Supplemental Nutrition Assistance Program (SNAP) Plan
- The Temporary Assistance for Needy Families (TANF) State Plan

- Florida’s TANF Work Verification Plan
- US Department of Labor Employment and Training Administration’s findings of noncompliance from other LWDBs

## Overview of the Programs

### Workforce Innovation and Opportunity Act

WIOA is a federal law that authorizes funding for state and local workforce initiatives for eligible adults and youth. WIOA emphasizes the need for access to workforce services for all individuals, which includes adults, dislocated workers, and youth. Target populations include recipients of public assistance, low income individuals, employed workers that need skills upgrading or retraining, and veterans.

WIOA assists businesses not only with finding skilled workers, but with accessing various supports, including education and training for their current workforce, and it assists workers in increasing their long-term employment opportunities and wages through services offered at local career centers.

The goals of WIOA are to:

- Increase the prosperity of workers and employers.
- Reduce welfare dependency, increase economic self-sufficiency, meet employer needs, and enhance productivity and competitiveness.
- Improve services to individuals with disabilities.
- Increase access to employment, education, training and support services – particularly for people with barriers to employment.
- Create a comprehensive, high-quality workforce development system by aligning workforce investment, education, and economic development.
- Improve the quality and labor market relevance of workforce investment, education, and economic development efforts.
- Promote improvement in the structure and delivery of workforce services.

### Welfare Transition Program

In October of 1996, two Acts went into law that dramatically changed the welfare programs in the State of Florida and around the country. The Temporary Assistance for Needy Families

(TANF) legislation changed the nation's welfare system from the receipt of cash assistance as an entitlement to one that requires work in exchange for time-limited assistance.

Also in October of 1996, Florida enacted the Work and Gain Economic Self Sufficiency (WAGES) Act. The Act was developed to implement the requirements of TANF and to emphasize work, self-sufficiency, and personal responsibility, as well as time-limited assistance. In October 2000, the Florida Workforce Innovation Act, Senate Bill 2010, was passed which substantially redefined Florida's welfare delivery system by replacing the former WAGES program with the Welfare Transition Program. The Workforce Innovation and Opportunity Act (WIOA), signed into law on July 22, 2014, is the first legislative reform of the public workforce system in 15 years and created improved access to comprehensive services in the One-Stop delivery system, to include the Welfare Transition Program, throughout the State of Florida and across the entire United States.

The goal of Florida's Welfare Transition (WT) program is to emphasize work, self-sufficiency, and personal responsibility. To accomplish this goal, the Florida legislature, using federal and state funding, has developed an array of support services and programs, to include:

- Specialized case management services.
- Job search assistance.
- Interviewing techniques.
- Individualized skills assessments.
- Employability workshops and life skills training.
- Educational/vocational school assistance.
- Work experience/job leads.
- Monthly travel allowance.
- Referral services

### Overview of Monitoring Results

The outcome of the review is detailed in the following sections of the report identified by the respective program. Outcomes reflect issues noted during the monitoring review and are classified in the report as Findings, Other Noncompliance Issues, and Observations.

Recommendations and suggestions are also made on how to address any identified Findings, Other Noncompliance Issues, and Observations.

- *Findings* – are instances where noncompliance with requirements contained in federal or state laws, rules and regulations, administrative codes, state guidance, or other documents are found and are considered higher risk issues that could impact the integrity of the program operations and/or potentially result in questioned costs.

- *Other Noncompliance Issues* – are general noncompliance conditions considered lower risk findings but could potentially result in higher risk findings based on the nature of the deficiency (i.e. repeat violations, issues indicative of systemic problems in program operations, questioned costs, etc.).
- *Observations* – are informative statements or constructive comments made to identify processes that can help the LWDB improve service delivery and result in positive program outcomes.

## Summary of Findings

### Workforce Innovation and Opportunity Act

1. CLM Policy OPS-46 WIOA Adult and Dislocated Worker Services does not contain guidance on the issuance and storage of reloadable debit cards/instant issue cards or on the method(s) of delivery to participants. \*Substantial issue of note in DOL findings of other LWDB
2. Prior year monitoring's included multiple findings reporting that follow-ups for participants exiting the WIOA program were not recorded timely in Employ Florida by the required quarter after exit. Other follow-up concerns include missing documentation to support that follow-up services were offered.
3. Prior year monitoring's included multiple findings reporting that measurable skill gains were not recorded in Employ Florida for the applicable program year in which the participants were enrolled in an educational or training program.
4. Current monitoring found that a signed Grievance/Complaint and EEO/Discrimination Form was not documented in the case file of one participant.
5. Current monitoring found that one participant in a Custom Business Training program indicated on the Custom Business Training Registration Form that they had served in the military, however the Employ Florida WIOA Application did not indicate such and there was no supporting documentation of veteran status in the participant's case file.
6. Current monitoring found that all youth participants who received supportive services for transportation did not have documentation in the case file to substantiate the amounts for transportation costs that were issued via bus passes or gas cards.  
\*Substantial issue of note in DOL findings of other LWDB

## Welfare Transition Program

1. CLM Policy OPS-81 WTP Support and Incentive Services does not contain guidance on the storage of reloadable debit cards or on the method(s) of delivery to participants.  
\*Substantial issue of note in DOL findings of other LWDB
2. Prior year monitoring's included multiple findings reporting that documentation was missing to support the hours entered on the JPR screen. One of the reviews also found that projected hours were not properly case noted in OSST.
3. Prior year monitoring's included multiple findings reporting that a safety plan was not documented in the case file and that elements from the safety plan were not included in the IRP/ARP.
4. Current monitoring found that one participant was issued a reloadable debit card for reimbursement/payment of past due car payments. There was no documentation uploaded into Atlas to support the amount of payment issued or the receipt of the debit card by the participant.

## Supplemental Nutrition Assistance Program – Employment and Training

1. Prior year monitoring's included multiple findings reporting that documentation was missing to support the hours entered on the JPR screen.
2. Prior year monitoring's found that participants' case files did not contain documentation to support the food stamp reimbursement for transportation costs that were issued.  
\*Related to substantial issue of note in DOL findings of other LWDB

## Summary of Other Noncompliance Issues

### Workforce Innovation and Opportunity Act

1. CLM Policy OPS-26 WIOA Eligibility/Services Information has the priority of service characteristics listed for the WIOA Adult program but does not specify that they must be applied in a specific priority order, instead the policy states that the individual must exhibit at least one of the characteristics listed (Policy, Section III, Adult, 3., page nine).
2. CLM Policy OPS-69 On-the-Job Training does not contain information on the documentation requirements of business reimbursements that are greater than 50%, instead the policy states that "a 75% reimbursement rate will be established when a business enters into an OJT agreement where the OJT trainee is designated as a focus

## CareerSource Citrus Levy Marion

demographic in regards to WIOA eligibility as follows: Veteran, Individual with a disability, Welfare Transition participant Homeless, Criminal Offender” (Policy, paragraph three, page two).

3. Current monitoring found that when a participant has an active Scholarship Voucher Agreement with support services indicated, a support service/incentive activity is not being entered into the Employ Florida case.
4. Current monitoring found that three participants’ case files were closed with the Verification of Employment supporting documentation found in Atlas, however the employment information was not entered into Employ Florida.

### Welfare Transition Program

1. There is no local office policy guidance on projecting employment hours.

## Summary of Observations

### Workforce Innovation and Opportunity Act

1. There is no local office policy guidance on documenting Measurable Skill Gains, including the different types of Measurable Skill Gains and what documentation is allowable.
2. Current monitoring found on multiple occasions that the supporting documentation for the identified measurable skill gains was uploaded into Atlas much later than when the documentation was obtained and the information added to the Employ Florida case file. In one case, the documentation was not uploaded until the end of the subsequent program year when the case was closed. In another case, the documentation was not uploaded separately under a Cred/Cert category, instead it was found with purchase order documentation.
3. Current monitoring found on multiple occasions that the supporting identification and verification information for the participant was uploaded into Atlas much later than when the documentation was obtained. In one case, the documentation was not uploaded for six months.
4. Current monitoring found on multiple occasions that supporting documentation in the Atlas system did not include verification that the selected area of training and the provider listed on the Scholarship Voucher Agreement were included on the Area Targeted Occupation List for Area 10.

## Welfare Transition Program

1. CLM Policy OPS-51 Earned Months Extension for Individuals Participating in a Substance Abuse or Mental Health Treatment Program is outdated and the guidance no longer applies.
2. CLM Policy OPS-59 Welfare Transition Hardship Extension of Temporary Cash Assistance (TCA) Time Limits includes references and guidance regarding “earned months” that is outdated and no longer applies.
3. CLM Policy OPS-56 Transitional Childcare for Welfare Transition Program Participants includes an incorrect reference to Florida Statute, specifically that “Florida Statutes provide for individuals who are diverted from TCA through Up-Front Diversion to receive TCC for up to one year...” (Procedures and Definitions, bullet ten, page three).
4. CLM Policy OPS-54 Relocation Assistance Program includes duplicative qualifying requirements for relocation assistance, specifically the requirement “there is a basis that supports the assertion that relocation to a new community will contribute to the family’s self sufficiency” is in duplicate of the contributing factors requirement listed directly thereafter (I. Program Guidance, bullets two and three, page two). This policy also includes an incorrect citing of state guidance, “see AWI FG 04-023 for examples of these factors” (I. Program Guidance, bullet three, page two). The correct state guidance is AWI FG 01-023.
5. There is no local office policy guidance on the calculation of the mandatory TANF work participation hours.
6. Local office policy guidance that encompasses multiple programs is difficult to interpret for each program individually.

## Local Office Policy Review

To provide a holistic review of the program’s processes, the monitor evaluated current policies for compliance with federal and state guidance to provide recommendations for improvements and efficiencies.

Local office policies were provided by CSCLM staff for the WIOA, Welfare Transition, and SNAP programs. It was expressed during the review that CSCLM intends to review and update all of the Welfare Transition policies as many of these are outdated.

The review found that the program’s policies provide adequate detail and instruction in accordance with federal and state guidance and offers the following improvement suggestions:

## 1. CLM Policy OPS-46 WIOA Adult and Dislocated Worker Services

### *Finding*

Condition: This policy does not contain guidance on the issuance and storage of reloadable debit cards/instant issue cards or on the method(s) of delivery to participants.

Cause: This policy has not been revised/updated since the new Grantee-Subgrantee Agreement was executed (2020).

Criteria: 29 C.F.R. 95.21(b)(3) states, "Recipients shall adequately safeguard all such assets and assure that they are used solely for authorized purposes." In accordance with 2 C.F.R. 200.302(b)(4), each non-Federal entity must provide for "Effective control over, and accountability for all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes." Further, 2 C.F.R. 200.303(a) states, "The non-Federal entity must establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award."

In addition, the updated Grantee-Subgrantee Agreement with DEO stipulates that the subrecipient must certify that written administrative procedures, processes, and fiscal controls are in place for the payment of supportive services including, but not limited to prepaid gas or prepaid debit cards and that controls must address issuance, storage, and reconciliation of prepaid gas or prepaid debit cards. (Substantial issue of note in DOL findings of other LWDB)

Corrective Actions: It is recommended that this policy be updated to include procedures for the issuance and physical storage of reloadable debit cards/instant issue cards as well as the method(s) of delivery to participants in order to strengthen the safeguards of these assets.

## 2. CLM Policy OPS-81 WTP Support and Incentive Services

### *Finding*

Condition: This policy does not contain guidance on the storage of reloadable debit cards or on the method(s) of delivery to participants.

Cause: This policy has not been revised/updated since the new Grantee-Subgrantee Agreement was executed (2020).

Criteria: 29 C.F.R. 95.21(b)(3) states, "Recipients shall adequately safeguard all such assets and assure that they are used solely for authorized purposes." In accordance with 2 C.F.R.

200.302(b)(4), each non-Federal entity must provide for “Effective control over, and accountability for all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes.” Further, 2 C.F.R. 200.303(a) states, “The non-Federal entity must establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.”

In addition, the updated Grantee-Subgrantee Agreement with DEO stipulates that the subrecipient must certify that written administrative procedures, processes, and fiscal controls are in place for the payment of supportive services including, but not limited to prepaid gas or prepaid debit cards and that controls must address issuance, storage, and reconciliation of prepaid gas or prepaid debit cards. (Substantial issue of note in DOL findings of other LWDB)

Corrective Actions: It is recommended that this policy be updated to include procedures for the physical storage of reloadable debit cards as well as the method(s) of delivery to participants in order to strengthen the safeguards of these assets.

### 3. CLM Policy OPS-26 WIOA Eligibility/Services Information

#### *Other Noncompliance Issue*

Condition: This policy has the priority of service characteristics listed for the WIOA Adult program but does not specify that they must be applied in a specific priority order, instead the policy states that the individual must exhibit at least one of the characteristics listed (Policy, Section III, Adult, 3., page nine).

Cause: This policy has not been revised/updated since the state guidance was released (2020).

Criteria: [Administrative Policy on Workforce Innovation and Opportunity Act Priority of Service, Policy Number 105](#), states that LWDBs must give priority for the provision of individualized career and training services in the following sequential order: 1) Recipients of public assistance. 2) Low-income individuals. 3) Individuals who are basic skills deficient. The state guidance then goes on to list the specific priority of service to include veterans and asserts that priority of service must be provided to eligible WIOA adult program participants in the following order: 1) Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, including the underemployed, or individuals who are basic skills deficient. 2) Individuals who are not veterans or eligible spouses who are included in the groups given WIOA priority selection criteria, (public assistance recipient, other low-income individuals including underemployed or basic skills

deficient). 3) All other veterans and eligible spouses. 4) Other individuals who do not meet the statutory priority, but who are identified as priority populations established by the Governor and/or local workforce development boards. 5) Other individuals who do not meet the statutory priority and who do not meet the Governor's or local workforce development board's discretionary priority, but who do meet the WIOA adult program eligibility.

Corrective Actions: It is recommended that this policy be revised to include the appropriate priority of service characteristics in the specific sequential order listed in the state guidance.

#### 4. CLM Policy OPS-69 On-the-Job Training

##### *Other Noncompliance Issue*

Condition: This policy does not contain information on the documentation requirements of business reimbursements that are greater than 50%, instead the policy states that "a 75% reimbursement rate will be established when a business enters into an OJT agreement where the OJT trainee is designated as a focus demographic in regards to WIOA eligibility as follows: Veteran, Individual with a disability, Welfare Transition participant Homeless, Criminal Offender" (Policy, paragraph three, page two).

Cause: This policy has not been revised/updated since the revised state guidance was released (2020).

Criteria: [Administrative Policy on Workforce Innovation and Opportunity Act On-the-Job Training, Policy Number 009](#), as well as [Training and Employment Guidance Letter \(TEGL\) No. 19-16](#), states that LWDBs may increase the wage reimbursement level above 50 percent up to 75 percent for the extraordinary costs of providing the training and additional supervision related to the training; however, factors used when deciding to make the increase must be documented and include the following: a) The characteristics of the participants, taking into consideration whether they are individuals with barriers to employment; b) The size of the employer, with an emphasis on small businesses; c) The quality of employer-provided training and advancement opportunities; and d) Other factors the LWDB may determine appropriate.

Corrective Actions: It is recommended that this policy be updated to include the documentation requirements from state and federal guidance on the determination of wage reimbursement greater than 50%.

## 5. Projecting employment hours

### *Other Noncompliance Issue*

Condition: There is no local office policy guidance on projecting employment hours.

Cause: The cause of the issue is unknown; management consultation may be necessary to determine.

Criteria: [Welfare Transition Program Final Guidance on Projecting Employment Hours, FG 072](#), requires that RWBs develop a local operating procedure on projecting employment hours. The local procedure must include the requirement to obtain documentation of employment, proof of a full pay cycle and documentation that the closure alert has been received prior to projecting hours. The procedure should also provide program staff the guidance on how to enter information.

Corrective Actions: It is recommended that a policy be created outlining the process for projecting employment hours or revise the applicable current policies to include this information.

## 6. Measurable Skill Gains

### *Observation*

Condition: There is no local office policy guidance on documenting Measurable Skill Gains, including the different types of Measurable Skill Gains and what documentation is allowable.

Cause: The cause of the issue is unknown; management consultation may be necessary to determine.

Criteria: 20 C.F.R. 677.155(a)(v), WIOA Section 116 and TEGL 10-16 Change 1

Federal and state guidance require Measurable Skill Gains (MSG) be recorded in the state's MIS and supported by appropriate case file documentation within the program year. The MSG indicator is used to measure interim progress of participants who are enrolled in education or training services for a specified reporting period.

Corrective Actions: It is recommended that a policy be created to provide technical guidance to program staff on the usage and documentation of measurable skill gains as this is a direct indicator of the local performance.

7. CLM Policy OPS-51 Earned Months Extension for Individuals Participating in a Substance Abuse or Mental Health Treatment Program

*Observation*

Condition: This policy is outdated and the guidance no longer applies.

Cause: This policy has not been revised/updated since 2000, prior to the change in statute.

Criteria: In 2005, [Senate Bill 408](#) removed the earned months provisions from Section 414.105, F.S. to align the statute with federal policy on time limitations. [Final Guidance on Medical Incapacity, FG 05-051](#), deletes all reference to substance abuse/mental health treatment earned months as a result of statutory changes by the Florida legislature. In addition, [Guidance Paper on Welfare Transition Hardship Extension to Temporary Cash Assistance \(TCA\) Time Limits, FG 025](#), states that TCA recipients may no longer earn months to extend receipt of cash assistance for the successful completion of substance abuse and mental health treatment programs.

Corrective Actions: It is recommended that this policy be retired as the earned months provisions have been deleted from Florida Statute.

8. CLM Policy OPS-59 Welfare Transition Hardship Extension of Temporary Cash Assistance (TCA) Time Limits

*Observation*

Condition: This policy includes references and guidance regarding “earned months” that is outdated and no longer applies.

Cause: This policy has not been revised/updated since 2003, prior to the change in statute.

Criteria: In 2005, [Senate Bill 408](#) removed the earned months provisions from Section 414.105, F.S. to align the statute with federal policy on time limitations. [Guidance Paper on Welfare Transition Hardship Extension to Temporary Cash Assistance \(TCA\) Time Limits, FG 025](#), states that (1) TCA recipients may no longer earn additional months for working and complying with program requirements and (2) TCA recipients may no longer earn months to extend receipt of cash assistance for the successful completion of substance abuse and mental health treatment programs.

Corrective Actions: It is recommended that this policy be revised and updated to remove all guidance related to earned months as these provisions have been deleted from Florida Statute.

## 9. CLM Policy OPS-56 Transitional Childcare for Welfare Transition Program Participants

### *Observation*

Condition: This policy includes an incorrect reference to Florida Statute, specifically that “Florida Statutes provide for individuals who are diverted from TCA through Up-Front Diversion to receive TCC for up to one year...” (Procedures and Definitions, bullet ten, page three).

Cause: This policy includes guidance to limit Transitional Childcare to one year based on the local directive and incorrectly cites statute.

Criteria: While [Final Guidance on Welfare Transition Transitional Childcare, FG 04-020](#), provides the authority for the RWB to limit the length of time TCC referrals will be provided, Section 445.032, F.S. specifically provides for TCC for up to two years. The one year time limit is based upon local policy, not statute.

Corrective Actions: It is recommended that this policy be revised to correct this statutory reference.

## 10. CLM Policy OPS-54 Relocation Assistance Program

### *Observation*

Condition: This policy includes duplicative qualifying requirements for relocation assistance, specifically the requirement “there is a basis that supports the assertion that relocation to a new community will contribute to the family’s self sufficiency” is in duplicate of the contributing factors requirement listed directly thereafter (I. Program Guidance, bullets two and three, page two). This policy also includes an incorrect citing of state guidance, “see AWI FG 04-023 for examples of these factors” (I. Program Guidance, bullet three, page two). The correct state guidance is AWI FG 01-023.

Cause: State guidance and statute were incorrectly interpreted.

Criteria: [Final Guidance on Welfare Transition Program Relocation Assistance, FG 01-023](#), asserts that once TCA eligibility is determined, either as a current recipient or an applicant that qualifies for Up-Front Diversion, (1) a need for relocation must be demonstrated as well as (2) a contributing factor to achieving self-sufficiency as a result of the relocation. In addition, Section 445.021(2)(b), F.S. lists the same contributing factors as the Final Guidance but under the statement that “A determination that there is a basis for believing that relocation will contribute to the ability of the applicant to achieve self-sufficiency.”

Interpretation of the statute and the guidance indicate that the contributing factors make up the basis to support the assertion that relocation will contribute to self sufficiency and that these are not two separate qualifying requirements.

Corrective Actions: It is recommended that this policy be revised to include the qualifying requirements found in state guidance and statute. Listing out in the policy the specific examples for the needs and contributing factors is also recommended as well as correcting the reference to state guidance.

## 11. Work participation hours calculation

### *Observation*

Condition: There is no local office policy guidance on the calculation of the mandatory TANF work participation hours.

Cause: The cause of the issue is unknown; management consultation may be necessary to determine.

Criteria: While CLM OPS-10 Unpaid Community Service/Work Experience documents the process for calculating the participation hours for community service and work experience activities, there is no guidance on the total amount of hours needed per 42 U.S. Code § 607 and state established standards for TANF work activities.

Corrective Actions: It is recommended that a policy be created to provide technical guidance to program staff on the TANF work participation hours requirements with detailed instruction on calculating the required hours by activity (core and supplemental), comparing the calculated amounts to the established minimums based on family type, and denoting where deeming is appropriate.

## 12. Multiple program policies

### *Observation*

Condition: Local office policy guidance that encompasses multiple programs is difficult to interpret for each program individually.

Cause: N/A

Criteria: N/A

Corrective Action: It is recommended that separate policies be developed for each program individually to ensure accurate understanding of each program's requirements.

## Significant Prior Monitoring Findings

To further the holistic review of the program's compliance, the monitor compiled previous programmatic monitoring reports completed by the Department of Economic Opportunity, Division of Workforce Services, Bureau of One-Stop and Program Support. Specifically, the results from Program Years 2016-17, 2017-18, 2018-19 and the preliminary review summary for Program Year 2019-20 were analyzed for recurring findings of noncompliance or for major issues of concern to identify meaningful areas of improvement.

### Workforce Innovation and Opportunity Act

#### 1. Program Follow-ups

##### *Finding*

Condition: Deficiencies were found for multiple years reporting that follow-ups for participants exiting the WIOA program were not recorded timely in Employ Florida by the required quarter after exit. Other follow-up concerns include missing documentation to support that follow-up services were offered.

Cause: The cause of the issue is unknown; management consultation may be necessary to determine.

Criteria: WIOA Sec. 116, TEGL 17-05, and the Follow-up Memorandum entitled "Entering Case Follow-ups in Employ Florida Marketplace" dated March 23, 2007

Federal and state guidance require quarterly follow-ups for participants exiting the WIOA program. Participants who exited the WIOA programs with employment were to receive 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> quarter follow-up services based on their exit date. Follow-ups must be conducted with the employer to determine the participant's continued employment status. Quarterly follow-ups also help to determine performance outcomes.

Corrective Actions: Program staff must continue to ensure that follow-ups are conducted at the required intervals and entered timely in the system by the due date indicated in the follow-up table. The "WIOA Exiters for Follow-Up Report" in Employ Florida should continue to be used by program staff. To further assist in this process, case managers can set

appropriate follow-up due dates in Employ Florida to alert and/or remind them of upcoming events and timelines to prevent the required deadlines for follow-ups to expire.

This finding was an issue for Program Years 2016-17 and 2017-18. While subsequent monitorings have not discovered this to be a continuing issue, multiple instances across program years indicate a potential opportunity for process improvements.

## 2. Recording of Measurable Skills Gains

### *Finding*

Condition: Deficiencies were found for multiple years reporting that measurable skill gains were not recorded in Employ Florida for the applicable program year in which the participants were enrolled in an educational or training program.

Cause: There are no written procedures regarding reporting and documentation of Measurable Skill Gains. This finding is linked to Local Office Policy Review item 6 – Measurable Skill Gains.

Criteria: 20 C.F.R. 677.155(a)(v), WIOA Section 116, and TEGL 10-16 Change 1

Federal and state guidance require Measurable Skill Gains (MSG) be recorded in the state's MIS and supported by appropriate case file documentation within the program year. The MSG indicator is used to measure interim progress of participants who are enrolled in education or training services for a specified reporting period.

Corrective Actions: Program staff must ensure that MSG attainment information is recorded timely and accurately in Employ Florida to match the MSG documents retained in the participant case files. It is also recommended that local office policy be created or amended to include guidance for program staff on the reporting and documentation requirements for Measurable Skill Gains.

This finding was an issue for Program Years 2018-19 and 2019-20. Multiple instances across program years indicate a potential opportunity for process improvements.

## Welfare Transition Program

### 1. Documentation of Activity Hours Recorded on the Job Participation Rate Screen

#### *Finding*

Condition: Deficiencies were found for multiple years reporting that documentation was missing to support the hours entered on the JPR screen. One of the reviews also found that projected hours were not properly case noted in OSST.

Cause: There are no written procedures regarding reporting and documentation of the hours entered on the JPR screen. This finding is linked to Local Office Policy Review item 5 – Projecting employment hours.

Criteria: 445.010 F.S.; 45 C.F.R. 261.60-62 and 45 C.F.R. 262; and Florida’s Work Verification Plan

Federal Law and state guidance require engagement in work activities and participation hours must be documented and auditable. Program staff must enter hours of participation on the job participation rate (JPR) screen in OSST and this data is then used to report performance (participation rates). Also, when employment hours are being projected, they must be updated to reflect the actual hours documented on the paystubs when they are received to ensure the hours reported to the Department of Children and Families (DCF) are accurate and match documentation retained in participant case files.

Corrective Actions: Although the number of instances is minimal, program staff must continue to ensure documentation or other forms of allowable verification for participation rate hours are retained in the case files. Program staff must thoroughly review each case transaction to ensure hours of participation in countable work activated are documented by the participant and verified by staff prior to entering the hours in OSST. Local quality assurance staff should also closely monitor and follow through on the actions proposed in their prior CAP(s).

It is also recommended that local office policy be created or amended to include guidance for program staff on the documentation requirements for job participation rate hours.

This finding was an issue for Program Years 2017-18 and 2018-19. While subsequent monitorings have not discovered this to be a continuing issue, multiple instances across program years indicate a potential opportunity for process improvements.

## 2. Safety Plan

### *Finding*

Condition: Deficiencies were found for multiple years reporting that a safety plan was not documented in the case file and that elements from the safety plan were not included in the IRP/ARP.

Cause: The cause of the issue is unknown; management consultation may be necessary to determine.

Criteria: 45 C.F.R. 261.11-14; 45 C.F.R. 260.50-59; 445.021 F.S.; 445.028 F.S.; 445.030 F.S.; 445.031 F.S.; 445.032 F.S.; and FG 02-026 Domestic Violence Program Final Guidance Paper

Federal regulations and state guidance require LWDBs to complete a safety plan and include the elements of the safety plan on either the Individual Responsibility Plan (IRP) or the Alternative Requirement Plan (ARP) for individuals identified as victims of domestic violence.

Corrective Actions: If a participant has been identified as a victim of domestic violence, program staff must ensure that all requirements for development of a safety plan are met, including the requirement that information from the safety plan be included on the IRP/ARP.

This finding was an issue for Program Years 2018-19 and 2019-20. Multiple instances across program years indicate a potential opportunity for process improvements.

## Supplemental Nutrition Assistance Program – Employment and Training

### 1. Documentation of Activity Hours

#### *Finding*

Condition: Deficiencies were found for multiple years reporting that documentation was missing to support the hours entered on the JPR screen. This is also a repeat issue for Welfare Transition.

Cause: There are no written procedures regarding reporting and documentation of the hours entered on the JPR screen.

Criteria: 7 C.F.R. 273.7 (d)(4)(ii), (e)(1), (m) (3) (v) (A), and the State SNAP Plan

Federal law and state guidance require hours spent in an activity be verified, entered on the OSST system's JPR screen, and documented in the participant's case file.

Corrective Actions: Program staff must ensure that they accurately count and verify participation hours before entering the information in OSST, and that timesheets used to support the hours are maintained in the participant's case file. It is also recommended that local office policy be created or amended to include guidance for program staff on the documentation requirements for job participation rate hours.

This finding was an issue for Program Years 2016-17 and 2017-18. While subsequent monitorings have not discovered this to be a continuing issue, multiple instances across program years indicate a potential opportunity for process improvements.

## 2. Food Stamp Reimbursements (FSR)

### *Finding*

Condition: Deficiencies were found reporting that participants' case files did not contain documentation to support the food stamp reimbursement for transportation costs that were issued.

Cause: There are no written procedures regarding the maintenance of the supporting documentation in participants case files.

Criteria: 7 C.F.R. 273.7 (d) (4) (ii) and the State SNAP Plan

Federal law and state guidance require participants engaged in program activities must be reimbursed for expenses that are reasonably necessary and directly relate to participation in the program. Reimbursement for transportation costs are based on the presentation of appropriate documentation.

Corrective Actions: Program staff must ensure documentation is collected to support issuance of a food stamp reimbursement before processing for payment and that appropriate documentation is maintained in the participant's case file. It is also recommended that OPS-80 Supplemental Nutrition Assistance Program (SNAP) be updated to include guidance for program office staff on the documentation retention procedures.

This finding was an issue for Program Year 2016-17. While subsequent monitorings have not discovered this to be a continuing issue, processes related to participant reimbursements were a substantial issue of note in the DOL findings of other LWDB.

### 3. Assignment of Activity Hours

#### *Finding*

Condition: Deficiencies were found for multiple years reporting that participants were assigned less than 80 hours of work activities per month. One of the reviews also found that participants were assigned more than 120 hours for a month.

Cause: The cause of the issue is unknown; management consultation may be necessary to determine.

Criteria: 7 C.F.R. 273.7(d)(4)(ii), (e)(1), and (m)(3)(v)(A), (m)(5)(B)(ii); 273.24(a)(3)(ii), and the State SNAP E&T Plan

Federal and state law require Able-Bodied Adults without Dependents (ABAWDs) to meet certain participation requirements. For purposes of meeting these requirements, ABAWDs must participate in one or more qualifying components (i.e. education, job search, job search training, etc.) for 20 hours per week to average 80 hours per month. Additionally, employed participants cannot be assigned to more than 120 hours monthly.

Corrective Actions: Program staff must accurately assign participants to the correct number of hours in program activities and accurately count and verify participation hours before entering the information into OSST.

This finding was an issue for Program Years 2018-19 and 2019-20. Multiple instances across program years indicate a potential opportunity for process improvements.

## Participant Case File Review

The current monitoring included sample testing and review of participant case file records. Electronic access was granted to the monitor for the Employ Florida, One-Stop Service Tracking (OSST), and Atlas systems in order to remotely review the sample cases provided by CSCLM. The files were checked to determine whether adequate documentation was maintained to support participant eligibility and services rendered as well as the validity and accuracy of system records and keyed entries made by program staff against original source documents. Case files were further reviewed for operational efficiencies and improvement opportunities.

DEO's programmatic monitoring review tools were used to conduct the review for each of the workforce programs included in the monitoring. The tools are designed to provide a comprehensive assessment of the processes and procedures used by CSCLM staff to operate and manage programs. Use of the monitoring tools ensured the review process followed a

planned and consistent course of action that provided adequate verification of specific program data elements.

## Workforce Innovation and Opportunity Act – Adult

The WIOA Adult case file review focused on compliance with federal, state, and local guidelines. The review included, but was not limited to:

- A review of program and operational processes to ensure that all case files contained evidence that participants were eligible, enrolled in allowable activities, and any training provided was in demand occupations provided by institutions on the state/local eligible training provider list.
- A review to determine if participants who entered into employment were placed in jobs that offered a self-sufficient wage as defined by local policy, if credential/certification attainment data were accurately recorded in Employ Florida, and if follow-ups were performed at the required intervals.
- If employed workers were participating in skills upgrade or other training/retraining activities, the review checked to see if training was provided in response to the employer's assessment that such training was required for the workers referred.

The sample reviewed consisted of 22 WIOA Adult participant case files. Most participant case files reviewed contained documentation of eligibility and other case management elements, and participant data records in Employ Florida were determined to have been correctly entered based on case file documentation requirements. However, the following issues were identified and are noted as appropriate based on the severity (Finding, Other Non-compliance Issue, or Observation):

### 1. Grievance/Complaint Form

#### *Finding*

Condition: A signed Grievance/Complaint and EEO/Discrimination Form was not documented in the case file of one participant (4.5 percent). There is a staff note that the CareerSource Citrus Levy Marion Services Application forms were received online and they are dated, however there are no signatures present.

Cause: Electronic submission of the CSCLM Services Application forms did not allow for applicant signature.

Criteria: DEO FG 00-004 rev. 06/08/07, 20 C.F.R. 683.600

Federal and state guidance require that each local area must establish and maintain a procedure for participants to file grievances and complaints alleging violations of the requirements of title I of WIOA and must provide information about the content of the grievance and complaint procedures to participants. A signed and dated Grievance/Complaint and EEO/Discrimination Form should be found in every participant's case file.

Corrective Actions: If a participant submits the Release of Information/Attestation form online without the required signature, program staff must ensure that the participant signs the form and that the signed form is uploaded into Atlas.

## 2. Veteran Status

### *Finding*

Condition: One participant (4.5 percent) in a Custom Business Training program indicated on the Custom Business Training Registration Form that they had served in the military, however the Employ Florida WIOA Application did not indicate such and there was no supporting documentation of veteran status in the participant's case file.

Cause: Program staff did not accurately complete the Employ Florida WIOA Application with the participant's veteran status and obtain the required documentation.

Criteria: WIOA Sec. 3(63)(A) and (B), JVA 38 U.S.C. Section 4215 and 101, 20 C.F.R. 1010.110, and Local Workforce Services Plan

Federal and state guidance require recipients of federal funding for qualified job training programs to collect and maintain information on applicants and/or participants that are veterans or eligible spouses of veterans for priority of service. Documentation of veteran status should be found in every veteran's or eligible spouse of a veteran's case file.

Corrective Action: When program staff are given permission by the participant to register their information in Employ Florida, they should make sure to enter the participant's information as reported to ensure accurate data and reporting. Documentation regarding the participant's veteran status should be maintained in the case file.

### 3. Supportive Services Activities

#### *Other Noncompliance Issue*

Condition: When a participant has an active Scholarship Voucher Agreement with support services indicated, a support service/incentive activity is not being entered into the Employ Florida case.

Cause: Current office process does not include the entry of separate support service/incentive activities into Employ Florida when a 300-level activity (Occupational Skills Training) is open.

Criteria: While local office policy and state and federal guidelines/regulations do not require a separate activity, the DEO WIOA monitoring tool specifically asks if a support service/incentive activity was entered in the State MIS, with a No response indicating that the participant did not receive a supportive service (line 80 on the DEO WIOA Adult and Dislocated Worker Review Tool PY 2020-21).

Corrective Actions: It is recommended that local office policy be revised to include guidance on utilizing appropriate support service/incentive activities in Employ Florida in order to ensure transparency and compliance with state monitoring.

### 4. Employment

#### *Other Noncompliance Issue*

Condition: During case file reviews, it was observed on three occasions (13.6%) that participants' case files were closed with the Verification of Employment supporting documentation found in Atlas, however the employment information was not entered into Employ Florida.

Cause: There are no written procedures on recording employment information in Employ Florida.

Criteria: Federal Data Validation Requirements

Corrective Actions: It is recommended that upon closure of cases in Employ Florida for participants with unsubsidized employment, that the employment information be entered into the system for accurate reporting.

## 5. Measurable Skill Gains

### *Observation*

Condition: During case file reviews, it was observed on multiple occasions that the supporting documentation for the identified measurable skill gains was uploaded into Atlas much later than when the documentation was obtained and the information added to the Employ Florida case file. In one case, the documentation was not uploaded until the end of the subsequent program year when the case was closed. In another case, the documentation was not uploaded separately under a Cred/Cert category, instead it was found with purchase order documentation.

Cause: There are no written procedures regarding reporting and documentation of Measurable Skill Gains. This finding is linked to Local Office Policy Review item 6 – Measurable Skill Gains.

Criteria: N/A

Corrective Actions: It is recommended that measurable skill gains documentation be uploaded timely into Atlas as a separate document upon receipt to allow for prompt case reconciliation.

## 6. WIOA Verification Information

### *Observation*

Condition: During case file reviews, it was observed on multiple occasions that the supporting identification and verification information for the participant was uploaded into Atlas much later than when the documentation was obtained. In one case, the documentation was not uploaded for six months.

Cause: The cause of the issue is unknown; management consultation may be necessary to determine.

Criteria: N/A

Corrective Actions: It is recommended that CSCLM implement a specific expectation that all supporting documentation and case files be uploaded timely into Atlas to allow for prompt case reconciliation and to ensure that documentation is available for audit.

## 7. Area Targeted Occupation

### *Observation*

Condition: During case file reviews, it was observed on multiple occasions that supporting documentation in the Atlas system did not include verification that the selected area of training and the provider listed on the Scholarship Voucher Agreement were included on the Area Targeted Occupation List for Area 10.

Cause: There is no written policy on including verification in the case file supporting that the training and provider are included on the Area Targeted Occupation List.

Criteria: N/A

Corrective Actions: It is recommended that verification be included with the Scholarship Voucher Agreement that the training program and the provider selected are listed on the Area Targeted Occupation List for Area 10 for processing efficiencies and documentation consistency.

## Workforce Innovation and Opportunity Act – Youth

The WIOA Youth case file review focused on compliance with federal, state, and local guidelines. The review included, but was not limited to:

- The process for determining and documenting participant eligibility including low-income status, if the youth had at least one of the federal/local barriers, and whether documentation in the participant case files substantiate program participation information recorded in Employ Florida.
- A review of processes and procedures used by CSCLM and the service provider to manage and administer their youth program, including whether youth met the requirements for their respective customer groups and whether an objective assessment was provided of academic and skill levels and the service needs of each participant.
- Whether attainment data on credentials/certifications were recorded accurately in Employ Florida and all that all youth exiting the program received required follow-up services.

The sample reviewed consisted of 11 WIOA Youth participant case files. Participant case files reviewed contained documentation of eligibility and other case management elements, and participant data records in Employ Florida were determined to have been correctly entered based on case file documentation requirements. However, the following finding was identified:

## 1. Supportive Services

### *Finding*

Condition: During case file reviews, it was observed that all participants who received supportive services for transportation did not have documentation in the case file to substantiate the amounts for transportation costs that were issued via bus passes or gas cards.

Cause: There are no written procedures regarding the calculation of the amounts for supportive services transportation needs.

Criteria: 29 C.F.R. 95.21(b)(3) states, "Recipients shall adequately safeguard all such assets and assure that they are used solely for authorized purposes." In accordance with 2 C.F.R. 200.302(b)(4), each non-Federal entity must provide for "Effective control over, and accountability for all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes." Further, 2 C.F.R. 200.303(a) states, "The non-Federal entity must establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award."

In addition, the updated Grantee-Subgrantee Agreement with DEO stipulates that the subrecipient must certify that written administrative procedures, processes, and fiscal controls are in place for the payment of supportive services including, but not limited to prepaid gas or prepaid debit cards and that controls must address issuance, storage, and reconciliation of prepaid gas or prepaid debit cards. (Substantial issue of note in DOL findings of other LWDB)

Corrective Actions: It is recommended that policy guidance be created to ensure that supportive service payments are issued to participants in the actual amount of need and that documentation to substantiate the amount be uploaded into the Atlas system or detailed in a case note.

## Welfare Transition Program

The Welfare Transition case file review focused on program processes, operational practices, and MIS data to determine compliance with program requirements. The review included, but was not limited to:

- The initial and any subsequent assessment processes.
- The process for developing the Individual Responsibility Plan (IRP), the IRP tool used locally, and the process for developing and assigning participants to work activities.
- A review of documentation to support hours entered into OSST for participant credit, and to ensure participants are engaged in activities that meet federal requirements and definitions.

The sample reviewed consisted of 22 Welfare Transition participant case files. Participant case files reviewed contained documentation to support all case management elements, and participant data records in OSST were determined to have been correctly entered. However, the following issue was identified:

## 1. Support Services

### *Finding*

Condition: One participant (4.5 percent) was issued a reloadable debit card for reimbursement/payment of past due car payments. There was no documentation uploaded into Atlas to support the amount of payment issued or the receipt of the debit card by the participant.

Cause: There are no written procedures regarding the retention of supporting documentation for reloadable debit cards. This finding is linked to Local Office Policy Review item 2 – CLM Policy OPS-81 WTP Support and Incentive Services.

Criteria: 445.025 F.S., and TANF State Plan 2017-2020

Federal and state guidance provide for support service payments to participants in the form of reimbursement for actual expenditures against receipts or invoices. Documentation should be found in the case file to support the amounts entered in OSST for support service payments and reimbursements.

Corrective Actions: Local Office policies and procedures should be updated to include direction for program staff to upload documentation into the participant's case file to support the amounts entered into OSST for all support services provided and for the issuance of the reloadable debit cards to the participants.

It was noted during the review that CSCLM staff intends to update the referenced policy to include guidance on the uploading of the supporting documentation.



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021**  
**Career Center Committee, Thursday, February 18, 2021**

### **TOPIC/ISSUE:**

Training Provider request for Life-Line Institute

### **BACKGROUND:**

Life-Line Institute has submitted an application for initial provider eligibility for four programs they wish to add to our Area Targeted Occupation List (ATOL). The programs include:

- Clinical Medical Assistant
- Phlebotomist
- Home Health Aide
- Patient Care Tech

### **POINTS OF CONSIDERATION:**

Pursuant to local policy *OPS-28 Area Targeted Occupation List and Training Provider Selection* the approval of providers and programs will be based on several sets of criteria – primarily: All programs must operate a minimum of 12 months, must maintain acceptable performance thresholds for outcomes based on enrollments, completions and employment after training and must meet reporting requirements to the Florida Educational and Training Placement Information Program (FETPIP). This provider is licensed with the State of Florida, and reports performance data to FETPIP, and all four programs have a Placement Rate of 93.75% and a Retention Rate of 100%. The Clinical Medical Assistant, Phlebotomist, Home Health Aide and Patient Care Tech programs meet the minimum performance requirements as outlined in local policy OPS-28.

### **STAFF RECOMMENDATIONS:**

- Approve acceptance of Life-Line Institute as a training provider for Clinical Medical Assistant, Phlebotomist, Home Health Aide and Patient Care Tech.

### **COMMITTEE ACTION:**

John Cook made a motion to add the programs to the Targeted Occupation List. Jorge Martinez seconded the motion. Motion carried.

### **BOARD ACTION:**



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021**  
**Executive Meeting, Wednesday, March 3, 2021**

### **TOPIC/ISSUE:**

Independent Auditor's Report

### **BACKGROUND:**

We are required to have an independent audit each year.

### **POINTS OF CONSIDERATION:**

Powell and Jones, CPAs were contracted to conduct the audit of CLM for period of 7/1/19-6/30/20.

### **STAFF RECOMMENDATIONS:**

Approve Auditor's Report 7/1/19-6/30/20

### **COMMITTEE ACTION:**

Charles Harris made a motion to accept the financial audit report. Al Jones seconded the report. Motion carried.

### **BOARD ACTION:**



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021**  
**Executive Meeting, Wednesday, March 3, 2021**

### **TOPIC/ISSUE:**

Travel Policy

### **BACKGROUND:**

Changes made to local policy to align with Sub-grantee Agreement stipulations regarding travel

### **POINTS OF CONSIDERATION:**

#### **Noted Changes on policy and attachments:**

Added the following section: LODGING  
Amended the MEAL REIMBURSEMENT section  
COO changed to EVP on policy and attachments  
The EEO statement on policy and attachments was updated  
Changes to fields on attachments B, C, D, E, F

### **STAFF RECOMMENDATIONS:**

### **COMMITTEE ACTION:**

Pete Beasley made a motion to accept the revisions to the travel policy. Al Jones seconded the motion. Motion carried.

### **BOARD ACTION:**



## POLICIES AND PROCEDURES

<b>SECTION:</b> Financial	<b>POLICY #:</b> FIN-2	<b>PAGE</b> 1 of
<b>TITLE:</b> Travel and Business Meeting Expense Policy	<b>EFFECTIVE DATE:</b> MM/DD/YYYY	
<b>REPLACES:</b> FIN-2 dated 2-10-14		<b>REVISION DATE:</b> MM/DD/YYYY Note: Lodging and Meal Reimbursements

**DISTRIBUTION: CAREERSOURCE STAFF, SERVICE PROVIDERS AND BOARD MEMBERS**

### POLICY

It is the policy of the CareerSource Citrus Levy Marion that costs associated with attendance at meetings, workshops, and conferences (meals, transportation, and lodging) are allowable if such are determined necessary and reasonable and the meeting, workshop, or conference serves a purpose consistent with Workforce funding. It is the CareerSource Citrus Levy Marion’s responsibility to insure that program expenditures meet this requirement and adequate documentation is maintained. The Bureau of Compliance Staff will review meeting workshop, and/or conference costs to ensure compliance with this policy. All expenses that fail to comply with this policy will be questioned and subject to disallowance and repayment with Non-Workforce funding. The following expenses are NOT allowed:

- a. Room meal service charges and restaurant charges in excess of approved CareerSource Citrus Levy Marion’s meal rates.
- b. Alcoholic beverages.
- c. All other such entertainment costs. (All costs including restaurant/hotel meal or food service charges) for functions whose purpose is social rather than business (such as networking receptions, ancillary tours, outings, etc.) are considered entertainment costs.
- d. Travel, rooms, per diem, and any other costs for persons other than CareerSource Citrus Levy Marion members (or members of a subrecipient's advisory/governing

board), CareerSource Citrus Levy Marion staff members, and other persons invited to speak or otherwise directly contribute to the purpose of the meeting.

In order for the CareerSource Citrus Levy Marion to pay per diem, restaurant/hotel meals or food service charges, mileage or other costs for CareerSource Citrus Levy Marion-sponsored conferences, the following conditions must be met:

- a. Advance approval of attending meetings, workshops or conferences must be obtained from the ~~Chief Operating Officer~~ or ~~Executive Vice President~~.
- b. Any person entitled to reimbursement under CareerSource Citrus Levy Marion travel policies for a meal which has been paid for as part of a restaurant/hotel meal or food service charge must deduct reimbursement for that meal on their Travel Reconciliation Form.

### **LOCAL TRAVEL**

For local travel not involving overnight stays, including business meetings attendance, departures will be logged on Auto Mileage Reports (**Attachment A**) at the time each trip is taken. Each Auto Mileage Report covers a one-month period and must be turned in to Finance for reimbursement as soon as possible after the end of each month. The traveler must sign, date and list their job title, and then give it to their Supervisor for review and certification of the report's accuracy **BEFORE** submitting to Finance for reimbursement.

**NOTE: Mileage claimed must be from point of origin to destination based on the official DOT highway map and based on actual mileage for local vicinity mileage. If the actual mileage traveled is less than the DOT highway map, the lesser amount of mileage must be claimed.**

**Traveler may claim mileage from home to a work location outside their official headquarters provided that travel begins more than one hour before or after the traveler's regular work hours and provided the miles claimed do not exceed the miles actually driven.**

- a. A Blanket Authorization to Incur Vicinity Mileage Form (**Attachment B**) must be completed for staff on a yearly basis, approved and signed by the Chief Executive Officer or ~~Chief Operating Officer~~ ~~Executive Vice President~~. A copy should be maintained in the Finance Department and Staff Personnel File.
- b. A Blanket Authorization to Incur Travel Expenses Form (**Attachment C**) must be completed for Contractor/Provider Staff on a yearly basis, approved and signed by the Chief Executive Officer or ~~Chief Operating Officer~~ ~~Executive Vice President~~. A copy should be maintained in the Finance Department and Contract File.

## **LODGING**

Lodging expenses for an employee of the Board and board members, may not exceed the daily limit of \$175 for that of employees of the State of Florida, excluding taxes and fees. An employee of the Board or board member may expend his or her own funds for any lodging expenses over the limit for employees of the State of Florida.

Exceptions:

- a) The Board is participating in a negotiated group rate discount
- b) The Board obtains and maintains documentation of at least three comparable alternatives demonstrating that such lodging at the required rate is not available
- c) Other hotels whose rate meets the state requirement are not convenient to conduct business or have safety concerns

## **OVERNIGHT TRAVEL**

The procedures established by the CareerSource Citrus Levy Marion for overnight travel provide that requests for travel must be approved in advance by the Chief Executive Officer or ~~Chief Operating Officer~~ Executive Vice President. An Authorization to Incur Travel Expenses form (**Attachment D**) and Advance for Travel Expense Form (**Attachment E**) must be completed and approved prior to the beginning date of travel. After the trip has been completed, the traveler submits a Travel Reconciliation Form (**Attachment F**).

All travel advances are recorded as receivables of the CareerSource Citrus Levy Marion until the travel has been completed by the employee and a Travel Reconciliation Form is submitted. Upon submission of a Travel Reconciliation Form, the correct project is charged and any difference between an advance and the actual expense is settled by either the traveler or the CareerSource Citrus Levy Marion.

## **FORMS PROCEDURES/ROUTING**

**Authorization to Incur Travel Expense Form:**

- a. Traveler completes/signs/dates form stating that the travel is to be incurred in connection with Board business and a description of how it benefits the Board. Attached to the form should be a copy of the program or agenda. Traveler should maintain a copy of the completed form as it must be included as support for the Travel Reconciliation Form.
- b. Supervisor reviews for accurateness, approves/signs form and submits to Workforce Board Administrative Assistant.
- c. Board Executive Assistant assures accurateness of form and submits to Chief Executive Officer or ~~Chief Operating Officer~~ Executive Vice President for

approval/signature.

- d. Approved form is returned to the Board Executive Assistant for processing of travel arrangements.
- e. Scanned or electronic signatures are acceptable.

**Advance for Travel Expense Form:**

- a. Board Executive Assistant completes form.
- b. Traveler signs form
- c. Supervisor approves/signs form
- d. Form submitted to Finance Department for processing advance
- e. Scanned or electronic signatures are acceptable

**Travel Reconciliation Form:**

- a. Traveler or Board Executive Assistant completes form. All appropriate backup documentation, receipts and originally signed/approved Travel Authorization Form should be attached to the Travel Reconciliation Form. An electronic signature is also considered an original signature. Hotel receipt should include room charges. Meal receipts are not necessary.
- b. Traveler signs/dates form.
- c. Form submitted to Chief Executive Officer or ~~Chief Operating Officer~~ Executive Vice President for approval/signature.
- d. Form submitted to Finance Department for final processing
- f. Original or electronic signature is needed on this form.

**NOTE: For individuals covered under the Americans with Disabilities Act (ADA), there are special provisions for travel reimbursements that apply and may be authorized through the individual's Supervisor.**

**TRAVEL SPECIFICS**

**Mileage Reimbursement:**

The mileage reimbursement rate will be \$.445 cents per mile.

**Meal Reimbursement:**

Only allowed where overnight travel is required. In that case the rate shall be as follows:

Breakfast	\$6
Lunch	\$11
Dinner	\$19

Meal allowance is as follows:

Breakfast - \$6.00 (When travel begins **BEFORE** 6 a.m. and extends **BEYOND** 8 a.m.)

Lunch - \$11.00 (When travel begins **BEFORE** 12 noon and extends **BEYOND** 2 p.m.)

Dinner - \$19.00 (When travel begins **BEFORE** 6 p.m. and extends **BEYOND** 8 p.m.)

No day travel meal reimbursements are allowed under current law.

On days where overnight travel has occurred, but the day is a travel day, not subject to overnight accommodations, a per diem rate of \$80 can be claimed. That rate is broken out as a reimbursement of \$20 per quarter of the day. **If a meal is provided during the conference/event then the quarter reimbursement is reduced by the meal allowance of \$6 for breakfast, \$11 for lunch, or \$19 for dinner.** Quarters of a day are as follows:

Midnight- 6 am

6am- noon

Noon- 6pm

6pm- midnight

#### **Reimbursable Incidental Expenses:**

- a. Taxi fares in excess of \$25, on a per fare basis, require a receipt. Amounts less than \$25 do not.
- b. Parking fees or tolls in excess of \$25, on a per transaction basis, requires a receipt. Amounts less than \$25 do not.
- c. Tips paid to taxi drivers that do not exceed 15 percent of the taxi fare are reimbursable and do not require a receipts.
- d. Actual amount of tip paid for mandatory valet parking is not to exceed \$1 per occasion are reimbursable and do not require a receipt.
- e. Actual portage paid shall not exceed \$1 per bag not to exceed \$5 per incident are reimbursable and do not require a receipt.

**OFFICIAL SIGNATURE**

**THOMAS E. SKINNER, JR.**  
**Chief Executive Officer**

**EVP COORD:**





**AUTHORIZATION TO INCUR VICINITY MILEAGE**  
July 1, \_\_\_\_\_ – June 30, \_\_\_\_\_

Traveler's Name: \_\_\_\_\_

Title: \_\_\_\_\_

Travel Justification:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Yearly Cost Estimate: \_\_\_\_\_

Approved by CEO or ~~COO~~ EVP:

\_\_\_\_\_  
Signature

\_\_\_\_\_



**AUTHORIZATION TO INCUR TRAVEL EXPENSES FOR ALL CONTRACTOR/PROVIDER STAFF**

Program Year: July 1, \_\_\_\_\_ to June 30, \_\_\_\_\_

Contractor/Provider/Agency: \_\_\_\_\_

STAFF NAME	POSITION/TITLE	TRAVEL ESTIMATE AMOUNT

Use additional sheets as needed.

Travel Justification: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Agency Representative's Name: \_\_\_\_\_

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Approved by CareerSource Citrus Levy Marion CEO or ~~COO~~ EVP:

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date



ATTACHMENT D

**AUTHORIZATION TO INCUR TRAVEL EXPENSE**

<b>RWB 10</b>	NAME:	OFFICIAL HEADQUARTERS:	DATE:
---------------	-------	------------------------	-------

DEPARTURE DATE:	RETURN DATE:	
-----------------	--------------	--

DESTINATION AND PURPOSE OF TRIP	ESTIMATED COST:									
	REGISTRATION FEE	PER DIEM	MEALS	AIRLINE	CAR RENTAL	GROUND TRANSPORTATION	MILEAGE	HOTEL	PARKING	MISC
<b>TOTAL ESTIMATED COST:</b>										

**CONFERENCE OR CONVENTION TRAVEL: EXPLANATION OF BENEFITS ACCRUING TO THE BOARD**

**\*\*\*ALSO ATTACH AGENDA, LIST OF TOPICS OR OTHER BACKUP FOR JUSTIFICATION**

I UNDERSTAND THE USE, POSSESSION OR TRANSPORT OF ALCOHOL OR ILLEGAL DRUGS IS STRICTLY PROHIBITED AT ANY TIME WHEN I AM RESPONSIBLE FOR ANY VEHICLE USED FOR OFFICIAL BOARD TRAVEL.

I HEREBY CERTIFY THAT TRAVEL AS SHOWN ABOVE IS TO BE INCURRED IN CONNECTION WITH OFFICIAL BUSINESS OF THE BOARD.

SIGNED BY TRAVELER/DATE:	APPROVED BY - SUPERVISOR/DATE:	APPROVED BY CEO or <del>GOO</del> EVP/DATE:
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Revised MM/DD/Y



**ATTACHMENT E**

**ADVANCE FOR TRAVEL EXPENSES**

Traveler's Name: \_\_\_\_\_  
 Date of Request: \_\_\_\_\_  
 Purpose of Travel / **Conference Name:** \_\_\_\_\_  
**City of Origin / Destination:** \_\_\_\_\_  
 Date of Departure: \_\_\_\_\_ **Time of Departure:** \_\_\_\_\_ Date of Return: \_\_\_\_\_  
 Account(s) to be Charged: \_\_\_\_\_

**EXPENSES ALREADY PAID IN ADVANCE:**

_____ Nights Lodging @ \$ _____	\$ _____
_____ <b>Parking or Mandatory Valet Parking</b>	\$ _____
_____ Registration	\$ _____
_____ Airfare	\$ _____
_____ Other (Car Rental, misc.)	\$ _____

**TOTAL EXPENSES PAID IN ADVANCE:** \$ \_\_\_\_\_

**EXPENSES ADVANCED TO PERSON TRAVELING:**

_____ Breakfast @ \$6.00	\$ _____
_____ Lunch @ \$11.00	\$ _____
_____ Dinner @ \$19.00	\$ _____
_____ Nights Lodging @ \$ _____	\$ _____
_____ Mileage @ .445 eff. 7-1-10	\$ _____
_____ <b>Parking or Mandatory Valet Parking @ \$ _____</b>	\$ _____
_____ Other (car rental, misc.)	\$ _____

**TOTAL TRAVEL ADVANCE PAID TO PERSON TRAVELING:** \$ \_\_\_\_\_

**GRAND TOTAL OF ESTIMATED EXPENSES:** \$ \_\_\_\_\_  
 =====

Comments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Traveler hereby requests a travel advance as shown above and certifies that travel is to be incurred in connection with official business of CareerSource Citrus Levy Marion.**

**TRAVELER'S SIGNATURE:** \_\_\_\_\_

**SUPERVISOR'S SIGNATURE:** \_\_\_\_\_

**TRAVELER'S NAME:**

**TRAVEL RECONCILIATION - CAREERSOURCE CITRUS LEVY MARION - ATTACHMENT F**

Date of Travel	Point of Origin	Point of Destination	Purpose of Travel	Hr Depart/ Hr Return	Meals Claimed	Mileage Claimed	Vicinity Mileage Claimed	Lodging Expense or Per Diem	Other Expenses	Other Expenses Description
										Registration
										Parking
										Tolls
										Portage (Tips)
										Cabs
										Airfare
										Baggage Fees #_____
<b>Computations or Comments: Agenda, list of topics or program and a Approved Authorization to Incur Travel Expenses Form and required receipts must be attached to this Reconciliation Form</b>					<b>TOTAL MEALS CLAIMED</b>	<b>TOTAL MILES</b> x.445 effec 7-1-10	<b>TOTAL LODGING/ PER DIEM</b>	<b>TOTAL OTHER EXPENSES</b>	<b>GRAND TOTAL</b>	
					<b>BALANCE:</b>					
					<b>LESS TRAVEL ADVANCE (INCLUDES PAYMENT OF REGISTRATIONS, AIRFARE, HOTEL, CHARGES TO COMPANY CREDIT CARD AND TRAVEL ADVANCE TO TRAVELER):</b>					
					<b>REIMBURSEMENT TO TRAVELER:</b>					
<b>AMOUNT OWED CAREERSOURCE CLM:</b>										

I hereby certify or affirm that the above expenses were actually incurred by me as necessary traveling expenses in the performance of my official duties; attendance at a conference or convention was directly related to official duties of the agency; any meals or lodging included in a conference or convention registration fee have been deducted from this travel claim; and that this claim is true and correct in every material matter and same conforms in every respect with the requirements of CareerSource Citrus Levy Marion's Travel Policy. I hereby certify that the above claimed expenses are allowable under CareerSource Citrus Levy Marion Policy and that the totals and extensions are accurate.

TRAVELER'S SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED BY CEO OR ~~COO~~-EVP: \_\_\_\_\_

DATE: \_\_\_\_\_

Revised MM-DD-YY



## **RECORD OF ACTION/APPROVAL**

### **Board Meeting, Wednesday, March 24, 2021 Executive Meeting, Wednesday, March 3, 2021**

#### **TOPIC/ISSUE:**

One Stop Operator Procurement and Contracting

#### **BACKGROUND:**

Procurement of a One Stop Operator is a requirement under the Workforce Innovation and Opportunity Act. The Executive committee met on October 5, 2016 prior to our initial procurement to determine what the definition of a One Stop Operator would be in this region. The subsequent procurements were modeled after that definition. Input from the Career Center and Executive committees was solicited during regular meetings this program year prior to the release of an Invitation to Negotiate (ITN) and no changes to the definition were recommended by the members. An ITN was released on December 10, 2020. The deadline for responses to be received was February 19, 2021. Two proposals were received, one from Thomas P. Miller & Associates and one from LDW Group LLC.

#### **POINTS OF CONSIDERATION:**

Thomas P. Miller & Associates has extensive experience with working with the staff and board in our area throughout the last 4 years. The total cost of a 12-month contract will be \$66,880.00 for services rendered and \$8120.00 for travel and per diem for a total of \$75,000.00. LDW Group LLC has experience working with two large workforce boards in Florida. The total cost of a 12-month contract will be \$75,000.00. The scoring matrices for the two contracts provide an aggregate score of 80.25 for Thomas P. Miller & Associates and 66.25 for LDW Group LLC, out of the highest possible score of 100 (aggregate scoring matrix on following page). Both proposals provide similar services, however, the review team determined that Thomas P. Miller & Associates offers more comprehensive services that better fit the needs of our region at this time. Both submitted proposals met all requirements as listed in the ITN. The One Stop Operator contract will be renewable up to three additional program years (4 years total) at the Board's discretion.

#### **STAFF RECOMMENDATIONS:**

Approve the selection of Thomas P. Miller & Associates to provide One Stop Operation duties for CareerSource CLM beginning July 1, 2021 through June 30, 2022.

#### **COMMITTEE ACTION:**

Al Jones made a motion to approve the selection of Thomas P. Miller & Associates to provide One Stop Operation duties for CareerSource CLM beginning July 1, 2021 through June 30, 2022. Fred Morgan seconded the motion. Motion carried.

#### **BOARD ACTION:**

One Stop Operator Review

Aggregate Review Scores

CareerSource Citrus Levy Marion One Stop Operator Review

		Maximum Points	Thomas P. Miller & Associates	LDW Group LLC
Criteria				
1	Rate how well the respondent's proposal addressed all requested elements contained in the Invitation to Negotiate (ITN)	10	8.5	6.75
2	Rate the respondent's overall experience overseeing program delivery in the workforce system based on their proposal	10	8	5.75
3	Rate the respondent's understanding of the various funding streams offered in the workforce system as well as those through partner agencies	10	7.5	5.75
4	Rate the respondent's past quantifiable experience in workforce as it relates to operation of One Stop career centers	10	7.75	7
5	Rate the respondent's proposed level of collaboration and provision of input by members of CareerSource management and members of the Board of Directors	10	8	6.5
6	Rate the respondent's organizational and staff qualifications	10	8	6.75
7	Rate the respondents quantifiable performance history in workforce Development (letters of recommendation will be accepted)	10	7.5	7.75
8	Rate how well the proposed scope of work aligns with the requested services in Part III of the ITN (Program Parameters and Description of Services Sought)	10	8.25	6
9	Rate how well the proposed deliverables will create a comprehensive One Stop 'system'.	10	8.5	7.5
10	Rate the respondents demonstrated knowledge of the Workforce Innovation and Opportunity Act (WIOA)	10	8.25	6.5
Reviewers Total Score:		100	80.25	66.25

Reviewers Signature: Reviewer Aggregate Scoring



## **RECORD OF ACTION/APPROVAL**

### **Board Meeting, Wednesday, March 24, 2021 Executive Meeting, Wednesday, March 3, 2021**

#### **TOPIC/ISSUE:**

Youth Services Provider Procurement and Contracting

#### **BACKGROUND:**

An Invitation to Negotiate (ITN) was released on December 10, 2020. The deadline for responses to be received was February 19, 2021. One Expression of Interest and one proposal was received from Eckerd Connects. Staff sends copies of each solicitation to all known relevant organizations. All solicitations are advertised in local print media and posted to our website RFP page. Staff contacted the corporate offices of Equus Workforce Solutions (formerly ResCare Workforce Service) but did not get a response to their offer to send a copy of the ITN. ResCare had previously submitted an Expression of Interest during our 2016 procurement cycle but did not submit a final proposal.

#### **POINTS OF CONSIDERATION:**

Eckerd Connects has extensive experience working with the youth and staff in our area. Eckerd is quick to respond to all requests by the board and staff and provide seamless integration of services and staff within the career centers. During the last 4 years Eckerd Connects has provided youth services for CSCLM and has consistently met performance metrics each year. The submitted proposal has been reviewed by staff and it has been determined that it meets all requirements as listed in the ITN. This contract will be renewable up to three additional program years (4 year total) at the Board's discretion. The final budget for Youth services will be contingent on funding levels to be announced later in the program year.

#### **STAFF RECOMMENDATIONS:**

Approve the Sole Source selection and contracting with Eckerd Connects to provide youth services beginning July 1, 2021 through June 30, 2022.

#### **COMMITTEE ACTION:**

Al Jones made a motion to approve the sole source selection and contracting with Eckerd Connects to provide youth services beginning July 1, 2021 through June 30, 2022. Pete Beasley seconded the motion. Motion carried.

#### **BOARD ACTION:**



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021**  
**Executive Meeting, Wednesday, March 3, 2021**

### **TOPIC/ISSUE:**

Area Re-designation; Board Certification

### **BACKGROUND:**

WOA requires each workforce development area and Board to be recertified every two years

### **POINTS OF CONSIDERATION:**

The re-designation must be approved by the Consortium and the local Director.

### **STAFF RECOMMENDATIONS:**

Request approval to sign the certification and submit it and the Board information to the Consortium for their approval.

### **COMMITTEE ACTION:**

Al Jones made a motion to approve the executive director's signature on the certification and submit it to the Consortium for signature and approval, then on to the State. Fred Morgan seconded the motion. Motion carried.

### **BOARD ACTION:**



## **RECORD OF ACTION/APPROVAL**

### **Board Meeting, Wednesday, March 24, 2021 Executive Meeting, Wednesday, March 3, 2021**

#### **TOPIC/ISSUE:**

OPS-26 Eligibility Services Information OPS-46 WIOA Supportive Services

#### **BACKGROUND:**

Per the recent updated policy from CareerSource Florida under Policy 109, we are required to update policy changes regarding Priority of Service and Support Services. Additionally, the Programmatic Monitoring Report provided by Underwood Sloan & Associates provided information on a finding in OPS-46, which does not include guidance on the issuance and storage of reloadable/instant issue cards or on the method(s) of delivery to participants. Job title corrections were also updated.

#### **POINTS OF CONSIDERATION:**

Staff have updated Operations policy ***OPS-26 Eligibility Services Information and OPS-46 WIOA Supportive Services*** to address all the requirements as set forth in CSFL Policy 109 and the Sloan Underwood & Associates Programmatic Monitoring Report as well as under the sub-grantee agreement. Upon approval from the Executive Committee CSCLM is required to send the updates to Department of Economic Opportunity for approval as well.

#### **STAFF RECOMMENDATIONS:**

Approve OPS-26 and OPS-46 to be implemented under our official policies and procedures.

#### **COMMITTEE ACTION:**

Pete Beasley made a motion to approve OPS-26 and OPS-46 to be implemented under our official policies and procedures and submitted to DEO. Al Jones seconded the motion. Motion carried.

#### **BOARD ACTION:**



**POLICIES AND PROCEDURES**

<b>SECTION:</b> Program Operations	<b>POLICY #:</b> OPS-26	<b>PAGE</b> 01 of 11
<b>TITLE:</b> WIOA Eligibility/Services Information	<b>EFFECTIVE DATE:</b> 12/03/2020	
<b>SUPERCEDES:</b> OPS-26	<b>Dated</b> January 31, 2017	
<b>REPLACES:</b> OPS-43	<b>Dated</b> May 09, 2000	

**DISTRIBUTION: CareerSource Citrus Levy Marion staff and Service Providers**

**PURPOSE:**

To provide policy guidance and interpretation of Federal and State workforce laws. Local procedural guidance is also provided to assure consistency. The policy is intended for use in conjunction with Federal and State laws and regulations.

**POLICY:**

It is the purpose of the Workforce Innovation and Opportunity Act (WIOA) to provide and increase access to workforce services to eligible citizens of the United States. WIOA is designed to assist those with barriers to employment to access workforce services needed to succeed in the job market as well as to align workforce investment with education and economic development systems.

Under Title I of the WIOA, the workforce development system provides the framework for delivery of workforce services at the State and local levels to individuals (i.e. dislocated workers, Adults with barriers, youth, and veterans) and employers in need of those services. CareerSource Citrus Levy Marion is committed to utilizing a holistic approach to promote career development in tandem with workforce development. Our integrated workforce system ensures that **Basic Career Services** are available for the universal population and staff assisted **Individualized Career Services** and Training Services are provided to eligible and sufficiently prepared customers. The following information provides guidance for the services provided through the Workforce Innovation and Opportunity Act.

CareerSource Citrus Levy Marion is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers listed above may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711. If you need accommodations, please call 352-840-5700, ext. 7878 or e-mail [accommodations@careersourceclm.com](mailto:accommodations@careersourceclm.com) at least three business days in advance. Additionally, program information may be made available in Spanish upon request. A proud partner of the American Job Center Network.

# WORKFORCE INNOVATION AND OPPORTUNITY ACT

## SERVICES INFORMATION

### SECTION I

#### WHAT IS THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)?

The Workforce Innovation and Opportunity Act or WIOA is a federal law that provides the framework for creating a world-class workforce development system. The Act supersedes the previous Workforce Invest Act of 1998. The purpose of the Act is defined in six main principles:

- 1) To increase, for individuals in the United States particularly those individuals with barriers to employment, access to an opportunities for the employment, education, training, and support services they need to succeed in the labor market
- 2) To support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.
- 3) To improve the quality and labor market relevance of workforce investment, education, and economic development efforts to provide America's workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages and to provide America's employers with the skilled workers the employers need to succeed in a global economy.
- 4) To promote improvement in the structure of and delivery of services through the United States workforce development system to better address the employment and skill needs of workers, jobseekers, and employers.
- 5) To increase the prosperity of workers and employers in the United States, the economic growth of communities, regions, and States, and the global competitiveness of the United States.
- 6) To provide workforce investment activities, through the statewide and local workforce development system, that increase the employment, retention, and earnings of participants, and increase attainment of recognized postsecondary credentials by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation.

The WIOA is divided in five "titles," each of which addresses major aspects of the system.

- ◆ **Title I:** Creates the overall structure of the system including state and local workforce boards, one-stop career centers, and Youth Councils. It specifies allowable activities and procedures for measuring performance. It replaces the Workforce Investment Act (WIA) of 1998.

- ◆ **Title II:** Amends existing adult education and literacy legislation and aligns these services with the workforce investment system.
- ◆ **Title III:** Defines the Wagner-Peyser (Employment Service) Act to better integrate with the overall vision of workforce investment.
- ◆ **Title IV:** Amends the federal Rehabilitation Act and requires increased alignment through defined partnerships with the workforce investment system.
- ◆ **Title V:** Provides the transition of the Act and allows states to consolidate two or more federal workforce-related programs through a state unified plan.

## **SECTION II**

### **EMPOWERING THE NATION'S JOBSEEKERS**

The Workforce Innovation and Opportunity Act provides the framework for a continued national workforce preparation and employment system designed to meet both the needs of the nation's businesses *and* the needs of job seekers and those who want to further their careers.

**Title I** of the legislation is based on the following elements:

- Training and employment programs are tailored for the needs of the population within each workforce development area with a sense of the needs within a larger workforce region comprised of partnering workforce areas.
- Customers must be able to conveniently access Career and Training Services through the local One Stop centers, as well as through electronic or 'virtual' mediums. Services may be classified as self-service, or staff assisted.
- Customers should have choices in deciding the training program that best fits their needs and the organizations that will provide that service. They should have control over their own career development.
- Customers have a right to information about how well training providers succeed in preparing people for jobs. Training providers will provide information on their success rates in order to be qualified as an approved educational provider.
- Businesses will provide information, leadership, and play an active role in ensuring that the system prepares people for current and future jobs. WIOA stipulates the percentages of representation from private sector, business, labor, education and economic development on the local workforce development board.

Title I defines the Workforce Investment System. In Florida, the State and local workforce investment board as well as the Department of Economic Opportunity (DEO) share in the leadership and oversight of the workforce investment system. Locally, the workforce development board and sub committees provide input and guidance to the structure of the local workforce area.

Title I requires that standards for success are established for organizations that provide training services and a system outlined for determining their initial eligibility to receive funds. It establishes the funding mechanism for States and local areas, specifies participant eligibility criteria, and authorizes a broad array of services for youth, adults, and dislocated workers. It also authorizes certain statewide activities and a system of *accountability* to ensure that customer needs are met.

WIOA also re-authorizes: Job Corps; Native American programs; Migrant and Seasonal Farmworker programs; Veterans' Workforce Investment programs; Youth Opportunity grants for high-poverty areas; technical assistance efforts to States and local areas; demonstration, pilot, and other special national projects; program evaluations; and National **Dislocated Worker** grants.

**Title II** reauthorized Adult Education and Literacy programs.

**Title III** re-authorized the Wagner-Peyser Act and continues to require that Employment Service/Job Service activities become part of the "One-Stop" system and established a national employment statistics initiative. It requires linkages between the Act's programs and WIOA career activities, the Trade Adjustment Act, Veteran services as well as the Welfare Transition Program.

**Title IV** reauthorized the Rehabilitation Act programs and linked these programs to State and local workforce development Areas. WIOA also establishes a required partnership with workforce development.

**Title V** contains general provisions that include authority for State unified plans relating to several workforce development programs, incentive grants for States exceeding negotiated performance levels under the Workforce Innovation and Opportunity Act, Adult Education Act, and Perkins Vocational Education Act, and transition provisions.

## **A Customer-Focused System**

The most important aspect of the Act is its focus on meeting the needs of businesses for skilled workers *and* the training, education, and employment needs of individuals. Key components of the Act enable customers to easily access the information and services they need through the One Stop system; empower adults to obtain the training they find most appropriate through Individual Training Accounts, and ensure that all State and local programs meet customer expectations.

The system is based on the One Stop concept where information about and access to a wide array of job training, education, and employment services is available for customers at a single location. Customers are able to easily:

- Receive a preliminary assessment of their skill levels, aptitudes, abilities, and support service needs.
- Obtain information on a full array of employment-related services, including information about local education and training service providers.

- Obtain information regarding approved training programs and providers as established through the local **Area Targeted Occupation List (ATOL)**. *Reference OPS-28 Area Targeted Occupation List*
- Receive help filing claims for **reemployment** assistance and evaluating eligibility for job training and education programs or student financial aid.
- Obtain job search and placement assistance, and receive career counseling.
- Have access to up-to-date labor market information that identifies job vacancies, skills necessary for in-demand jobs, and provides information about local, regional and national employment trends.

Through the One Stop, employers benefit by having a single point of contact to provide information about current and future skills needed by their workers, to list job openings, and to find job-ready skilled workers who meet their needs.

### **Empowerment Through **Individual** Training Accounts**

WIOA focuses on customer choice to promote individual responsibility and personal decision-making through the use of "Individual Training Accounts" which allow customers to access the training they determine best for them. This market-driven system enables customers to get the skills and credentials they need to succeed in their local labor markets.

Good customer choice requires quality information. The One Stop system provides customers with a list of eligible training providers. Payment for services is arranged through the Individual Training Accounts. Only in exceptional cases may training be provided through a contract for services between the One-Stop Center and organizations providing the training.

As individuals become empowered to choose the services they require, States, local areas, and providers of those services become more accountable for meeting those needs.

For adults and dislocated workers (such as those who lose their jobs because of permanent layoffs or plant closings), measures for the rates of entry into unsubsidized employment, job retention, post-placement earnings, and acquired education and skill standards for those who obtain employment are established. Measures for Out of School Youth (16-24) also include the attainment of a high school diploma (or its equivalent) for those who enter post-secondary education or advanced training as well as for those who get jobs. Measures for In School Youth (14-21) include rates of basic skills and work readiness or occupational skills attainment, attainment of high school diplomas (or the equivalent), and placement and retention in postsecondary education, advanced occupational training, apprenticeships, the military or employment. These measures apply to both statewide and local performance.

The Act also requires that training providers must meet certain requirements in order to receive adult or dislocated worker funds. There are separate requirements for initial eligibility and for subsequently maintaining eligibility to receive funds. Training providers are held accountable for completion rates, the percentage of participants who obtain unsubsidized jobs and for their wages at placement. Training providers must also provide information about the cost of their programs. This information will be available to customers at One-Stop Centers. When authorizing training, CareerSource Citrus Levy Marion's Policy OPS 28, **Area Targeted**

**Occupation List**, will be used in conjunction with the state list of approved training vendors which can be found at <http://www.floridajobs.org/labor-market-information/publications-and-reports/labor-market-information-reports/regional-demand-occupations-list>.

## SECTION III

### ELIGIBILITY AND SERVICE REQUIREMENTS

The Act specifies three funding streams to the States and local areas: adults, dislocated workers, and youth.

#### **Adults and Dislocated Workers**

Most workforce services for adults and dislocated workers are provided through the One-Stop system and most customers will use their individual training accounts to determine which training program and training providers fit their needs.

The Act authorizes Basic Career Services (available to all customers *with no eligibility requirements*), Individualized Career Services (available to those who meet eligibility requirements) and Training Services for Adults and Dislocated Workers.

While the services for adults and dislocated workers may be the same, **there are dedicated funding streams.**

#### **Basic Career Services**

- information about available services
- labor market information (which identifies job vacancies; skills needed for in-demand jobs; and local, regional and national employment trends);
- access to provided technologies such as internet access, fax, phone, etc.

#### **Individualized Career Services:**

- initial assessment of skills and needs;
- additional comprehensive assessments;
- development of individual employment plans;
- group and individual counseling;
- case management;
- short-term pre-vocational services;
- Internship and Work Experience services.

WIOA establishes that there is no required 'tier' for receiving services. Customers may be assessed for their needs and immediately moved to either Career Services (self or staff assisted or Training as needed).

#### **Training Services may include:**

- occupational skills training;
- on-the-job training;

- entrepreneurial training;
- skill upgrading;
- job readiness training, and;
- adult education and literacy activities in conjunction with other training.

Under WIOA, the 'limited funding for priority' provision is removed. Priority of Service is given to those individuals that exhibit 'multiple barriers' or special priority categories as specified in the ADULT section of this policy. This priority applies to adult funds for training services only. **Funds allocated for dislocated workers are not subject to this requirement** as priority is met through dislocation.

Priority of service will be given for traditional adult training funds; will take into account all areas represented in our priority of service; and will not be driven only by income. Customers facing multiple barriers shall be given priority when seeking services. (see Priority of Service Definition section)

The Act also re-authorizes the provision of supportive services as outlined in OPS-46 Supportive Services, (e.g., transportation assistance, clothing allowance, tools of the trade, etc.) to assist participants receiving Career and Training services and the provision of temporary income support to enable participants to remain in training. Supportive services may be authorized for participants depending on availability of funding and accessibility through other programs providing such services.

### **Youth**

Customers utilizing youth funds will meet eligibility through defined barriers and are ages 14 through 24 at the time of eligibility. All youth will be classified as In School Youth or Out of School Youth based on the eligibility criteria below. At least 75 percent of local youth funds must help those who are classified as Out of School. Youth participants will be classified per the standards below and will meet the barrier requirements as specified for In School and Out of School below:

#### **Out of School Youth are defined as:**

- A. Not attending any school (as defined under State law);
- B. Not younger than age 16 or older than age 24; and
- C. One or more of the following:
  - I. A school dropout.
  - II. A youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.
  - III. A recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is—
    - a) Basic skills deficient; or
    - b) An English language learner.
    - c) An individual who is subject to the juvenile or adult justice system.
    - d) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has

aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C.677), or in an out-of-home placement.

- e) An individual who is pregnant or parenting.
- f) A youth who is an individual with a disability.
- g) A low-income individual who requires additional assistance to enter or complete an educational program or to secure or hold employment.

**IN-SCHOOL YOUTH are defined as:**

- A. Attending school (as defined by State law);
- B. Not younger than age 14 or (unless an individual with a disability who is attending school under State law) older than age 21;
- C. A low-income individual; and is one or more of the following:
  - a) Basic skills deficient.
  - b) An English language learner.
  - c) An offender.
  - d) A homeless individual (as defined in section 41403(6) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e-2(6))), a homeless child or youth (as defined in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2))), a runaway, in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement.
  - e) Pregnant or parenting.
  - f) A youth who is an individual with a disability.
  - g) An individual who requires additional assistance to complete an educational program or to secure or hold employment.

Additionally, not more than five (5) percent of the individuals assisted under this section may be persons who would be covered individuals, except that the persons are not low income individuals.

Youth will be prepared for post-secondary educational opportunities or employment. Programs and services will link academic and occupational learning. Youth Program Service Providers will have strong ties to employers.

Services provided to youth must also include tutoring, study skills training and instruction leading to completion of secondary school (including dropout prevention); alternative school services; mentoring by appropriate adults; paid and unpaid work experience (such as internships and job shadowing); occupational skills training; leadership development; and appropriate supportive services. The following services as stated in WIOA section 681.460 will be made available to all Youth participants:

- i. Tutoring
- ii. Alternative Secondary School Services
- iii. Paid and Unpaid Work Experiences
- iv. Occupational Skill Training
- v. Education offered concurrently with and in the same context as Workforce Preparation Activities
- vi. Leadership Development Opportunities

- vii. Supportive Services
- viii. Adult Mentoring
- ix. Follow Up Services
- x. Comprehensive Guidance and Counseling
- xi. Financial Literacy Education
- xii. Entrepreneurial Skills Training
- xiii. Labor Market Information
- xiv. Transition Activities to Post-Secondary Education and Training

If summer programs are provided to youth, the summer employment opportunities must be linked to academic and occupational learning. The mix of year-round and summer activities is left to local discretion and CareerSource Citrus Levy Marion does not maintain a separate appropriation for a “summer” program.

### **ADULT**

Eligibility categories/characteristics shall be defined as:

1. Meeting WIOA eligibility under Title I for the Adult Program as defined in the WIOA section 3(2) as a person of or over the age of 18 years old.
2. A resident residing within the geographic borders of Citrus, Levy or Marion counties or a resident of a neighboring county that is seeking employment or training in Citrus, Levy or Marion County.
3. WIOA focuses on serving individuals with barriers to employment and ensures access to these services on a priority basis. LWDBs must give priority for the provision of individualized career and training services in the following sequential order:
  1. Recipients of public assistance.
  2. Low-income individuals. Payments for reemployment assistance, child support payments and old-age survivors’ insurance are not excluded from income calculations for determining if an individual is low income.
  2. Individuals who are basic skills deficient.

### **Veteran and Adult Priority of Service**

Veterans and eligible spouses receive priority of service for all USDOL-funded job training programs, which include WIOA programs. However, when programs are statutorily required to provide priority for a particular group, such as the WIOA priority for adult funds described above, priority must be provided in the order described below. Veterans who receive priority of service must meet all WIOA adult program eligibility requirements. For income-based eligibility determinations, amounts paid while on active duty or paid by the Department of Veterans Affairs (VA) for vocational rehabilitation, disability payments, or related VA-funded programs cannot be considered income for eligibility purposes.

LWDBs must ensure veterans and eligible spouses are made aware of their eligibility to priority of service, the full array of workforce programs and services available to them, and any applicable eligibility requirements for those programs and services.

Priority of service must be provided to eligible WIOA adult program participants in the following order:

- 1) Veterans and eligible spouses who are also recipients of public assistance, other low-income individuals, including the underemployed, or individuals who are basic skills deficient. Priority of Service Policy Number 105 Page 3 of 5
- 2) Individuals who are not veterans or eligible spouses who are included in the groups given WIOA priority selection criteria, (public assistance recipient, other low-income individuals including underemployed or basic skills deficient).
- 3) All other veterans and eligible spouses who are not included in the WIOA priority groups (see above items 1 and 2).
- 4) Other individuals who do not meet the statutory priority, but who are identified as priority populations established by the Governor and/or local workforce development boards.
- 5) Other Individuals who do not meet the statutory priority and who do not meet the Governor's or local workforce development board's discretionary priority, but who do meet the WIOA Adult program eligibility.

### **DISLOCATED WORKER**

Dislocated Workers are defined as:

1. An individual who:
  - i. has been terminated or laid off, or who has received a notice of termination or layoff from employment;
  - ii. is eligible for or has exhausted entitlement to **reemployment** assistance; or
    - i. has been employed for a duration sufficient to demonstrate to the appropriate entity at a One Stop center attachment to the workforce but is not eligible for **reemployment** assistance due to insufficient earning or having performed services for an employer that was not covered under a State **reemployment** assistance law; and
    - ii. is unlikely to return to a previous industry or occupation;
2. An individual who:
  - i. has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
  - ii. is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or
    - i. For purposes of eligibility to receive services other than training services, career services or support services, is employed at a facility at which the employer has made a general announcement that such facility will close.
3. Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic condition in the community in which the individual resides or because of natural disasters;

4. Is a displaced homemaker WIOA Section 3(16)
5. Is the spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code), **and:**
  - i. who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member; or
  - ii. is the spouse of a member of the Armed Forces on active duty and who meets the criteria described in paragraph WIOA Section 3(16)(B)

### **DISPLACED HOMEMAKER**

The term “displaced homemaker” means an individual who has been providing unpaid services to family members in the home and who—

- a) (i) has been dependent on the income of another family member but is no longer supported by that income; or (ii) is the dependent spouse of a member of the Armed Forces on active duty (as defined in section 101(d)(1) of title 10, United States Code) **and** whose family income is significantly reduced because of a deployment (as defined in section 991(b) of title 10, United States Code, or pursuant to paragraph (4) of such section), a call or order to active duty pursuant to a provision of law referred to in section 101(a)(13)(B) of title 10, United States Code, a permanent change of station, or the service-connected (as defined in section 101(16) of title 38, United States Code) death or disability of the member; **and**
- b) is unemployed or underemployed and is experiencing difficulty in obtaining or upgrading employment.

## **CareerSource Citrus Levy Marion**

### **LOCAL DEFINITIONS**

#### **SELF-SUFFICIENCY/LOW INCOME FOR ADULTS AND DISLOCATED WORKERS**

1. **Low Income for ADULTS:** Earning a rate of pay at the local wage sufficiency rate as determined by DEO or less than 200% of the Metro Lower Living Standard Income Level based on family size.
2. **Dislocated Workers:** Earning a rate of pay representing the hourly equivalent at 80% of the layoff wage.
3. **Employed Worker:** Reference OPS-68 Custom Business Training, which allows the Region to increase the skill levels of the existing workforce to meet the needs of the employer, to leave no worker behind in obtaining and retaining employment opportunities, and to continuously foster economic growth.

#### **OFFICIAL SIGNATURE**

**Thomas E. Skinner, Jr.**  
**Chief Executive Officer**

**EVP Coord:**



**POLICIES AND**

**PROCEDURES**

<b>SECTION:</b> Program Operations	<b>POLICY #:</b> OPS-46	<b>PAGE</b> 01 of 12
<b>TITLE:</b> WIOA Adult and Dislocated Worker Services	<b>EFFECTIVE DATE:</b> 12/03/2020	
<b>SUPERCEDES:</b> OPS-46		<b>Dated</b> July 1, 2015
<b>REPLACES:</b>		
OPS-08 Customer Travel Assistance	<b>Dated</b> September 25, 2003	
OPS-29 Dislocated Worker Needs-Based Policy	<b>Dated</b> August 21, 2000	
OPS-57 WIA Exit and Follow-up	<b>Dated</b> September 25, 2003	
LOP-02 WIA Service Delivery and the Individual	<b>Dated</b> May 20, 2013	
LOP-36 WIA Support Services	<b>Dated</b> November 18, 2014	

**DISTRIBUTION:** CareerSource Citrus Levy Marion Staff and Service Providers

**PURPOSE:** To provide policy by which Career Services, Training Services and Supportive Service payments may be made to Workforce Innovation and Opportunity Act (WIOA) program customers in order to enable them to participate in their assigned/enrolled activity, training and/or to obtain/maintain employment.

**I. POLICY**

All services will be individually assessed based on a customer’s demonstrated need and, where appropriate, will be contained in the customer’s Individual Employment Plan (IEP). Eligible individuals may receive Basic Career Services (self-service), Individualized Career Services (staff assisted) and/or Training Services. There is not a requirement under WIOA that an eligible customer must complete a ‘tier’ of services prior to being enrolled in training. A customer may move directly to training should they be assessed that training is the optimal activity.

Basic Career Services are referred to as self-service. Basic Career Services do not require eligibility and include (but not limited to):

<b>Provision of Job Listing</b>
<b>Labor Market Information</b>
<b>Labor Exchange</b>
<b>Information on Available Services/Partner Programs</b>

Individualized Career Services are more involved, require eligibility and are tailored to the individual needs of the customer. These **include (but are not limited to):**

<b>Comprehensive Skills Assessment</b>
<b>Career Planning</b>
<b>Development of an Individual Employment Plan</b>
<b>Work Experience and Internship Opportunities</b>
<b>Supportive Services</b>
<b>Case Management</b>
<b>Follow-up Services</b>

Training services are available to eligible adults and dislocated workers who have met the eligibility requirement and who, after interview, evaluation or assessment, and case management are determined to be unlikely or unable to obtain or retain employment that leads to self-sufficiency or higher wages from previous employment through career services alone. The customer must be determined to be in need of training services and possess the skills and qualifications to successfully participate in the selected program.

The training program should be directly linked to occupations that support the local workforce and economy as listed on the **Area Targeted Occupation List**. WIOA training services are reserved for customers who do not have access to or adequate amounts of other sources of subsidized training such as TANF, VRAP, PELL, etc. The services are available to individuals who meet the current priority of service definition as established by the Citrus, Levy, Marion Regional Workforce Development Board (*CLM OPS 26 WIOA Eligibility/Services Information*). Examples of training services:

<b>Occupational Skills/Classroom Training</b>
<b>On the Job Training</b>
<b>Customized Training</b>
<b>Apprenticeships</b>
<b>Pre-Apprenticeships</b>
<b>Incumbent Worker Training</b>
<b>Skill Upgrading and Re-Training</b>
<b>Entrepreneurial Training</b>
<b>Transitional Jobs</b>
<b>Supportive Services</b>
<b>Case Management</b>
<b>Follow-up Services</b>
<b>Concurrent Education in Job Readiness</b>

<b>Adult Education</b>
<b>Literacy Skills</b>
<b>English Language Acquisition</b>

Some customers may need additional services to assist their vocational training, such as job readiness training, literacy activities including English language training, and customized training. (680.210 (a))

**II. Developing and Amending the Individual Employment Plan (IEP)**

- A. The customer’s IEP is an ongoing strategy jointly developed by the customer and the Career **Development** Coach. The IEP identifies the customer’s employment goals, the appropriate achievement objectives, and appropriate combination of services for the customer to achieve the employment goals. The Career **Development** Coach shall involve the customer in the employment planning process and document this involvement via the customer involvement statement. Both the customer and Career **Development** Coach will sign the statement thereby verifying their participation.
  
- B. Updates to the customer’s IEP should occur any time there is a change made to their training and/or employment goals or plans. These changes should be discussed with the customer and documented on an IEP Amendment form. The Career **Development** Coach should note on the amendment how the change affects the goals of the original IEP, what new goals exist and how the Career **Development** Coach and the customer can work together to reach those goals.
  
- C. The IEP forms have been carefully created to include all elements required by Federal, State and local policies. Each IEP must be 100% complete to be effective and should contain as much detail as possible. The IEP is to be used by the customer as a guide toward next steps. One of its purposes is to help them stay focused while following the plan.

The document also helps the Career **Development** Coach in many ways, to include the tracking of the customer’s goal progression; helps staff to assist the customer in activities that will help them define, refine and achieve goals; and it sets measurable accountability between the Career **Development** Coach and customer.

The following items should be considered when developing an IEP (Note: these items are also reviewed during local quality assurance reviews):

<b>1. Is the plan signed and dated by both the customer and consultant?</b>
<b>2. Is the following required component included on the signed Plan: Training Objective, Short &amp; Long Term Goals/Objectives, Support Service needs?</b>
<b>3. Is the following required component included on the signed Plan: Reason for WIOA Assistance?</b>

<b>4. Is the following optional component included on the signed Plan if provided; Career Services/ Activities provided; Type &amp; Results of Assessment.</b>
<b>6. Is the following required component included on the signed Plan for Training (when applicable):</b> <ul style="list-style-type: none"> <li>• Type of training; Is training a demand occupation; approximate start date;</li> <li>• Name of approved training provider or if work-based, provide name of employer?</li> <li>• Pell Grant/Fund coordination Per OPS 27 – <b>Individual Training Accounts</b></li> </ul>
<b>7. Is the following required component included on the signed Plan under Supportive Services:</b> Is there evidence that support services were discussed with the customer and if support services were to be provided was frequency stated?
<b>8. Is the following required component included on the signed Plan under Follow-up Services:</b> Details as to future contacts and/or assistance; If further documentation was needed was there a description as to what it was and when it should be provided?
<b>9. Under Contact Information &amp; Preferred Method &amp; Time:</b> Is contact information and preferred method and time noted?
<b>10. Is the plan personalized to the individual?</b>

### **III. Case Notes**

Case notes differ from the IEP in that the IEP defines a wide range of goals, objectives and services provided a customer where case notes give details of specific events, conversations and case follow-up. Case notes are an important tool in case management to document routine activity with each case. Case notes should tell the story of the customer and give a complete detail of the case. The information contained in the case notes should be objective and free of personal opinion or interpretations. The purpose of case notes is to not only help the Career **Development** Coach track services, discussions and activity with the case, but should also provide a thorough detail of the case should it need to be accessed by any other workforce staff and will allow for a seamless hand off of information. Case notes can also contain additional information that may or may not be included in the customer's IEP.

Case notes are most widely used for documenting discussions and follow-up between face-to-face visits. They are also entered to track actions by the Career **Development** Coach such as processing assistance requests, documenting referrals and managing financial aspects of the case and provide detailed information to other staff that may assist the customer. Current internal quality assurance efforts review the following components of case notes when reviewing a file. The following items should be considered when writing case notes:

<b>1. Do the case notes tell the customer's story?</b>
<b>2. Are the case notes written by the consultant without using "canned" case notes?</b>

3. If no to #2, was personal pertinent information relative to the customer inserted?
4. Are case notes timely, i.e. no long time lag between entries (at a minimum every 30 days)?
5. Do case notes coincide with contacts, interactions or case actions?
6. Were case notes written without abbreviations or acronyms not known to reviewer or would not be known to outside reviewer?
7. If a case note is being used as the verification for an action or decision, is there enough information provided in the case note for justification?
8. Are there Career <b>Development</b> Coach case notes in addition to system generated case notes?
9. Were the case notes written without inappropriate information, statements and/or language?
10. Are the case notes concise, clear, respectful and do not contain excessive typos?

#### **IV. Contact and Routine Monthly Follow-up**

Maintaining communication with WIOA customers is vital to successful outcomes. Customers must know that their Career **Development** Coach has their best intentions in mind. Customers must also feel comfortable sharing information that they ordinarily would not share with someone outside of the family unit. Regular follow-up with a customer can also help a Career **Development** Coach identify potential issues and barriers before they become issues.

Customer follow-up must occur on a regular basis with all WIOA cases and be documented in the customer's **EF** case note screen.

- A. Follow-up must occur at a minimum every thirty days. Follow-up may occur via:
  - One on one appointment
  - Telephone
  - E-mail
  - Social Media
  
- B. A face-to-face appointment must occur every ninety days. Each face-to-face appointment should include a review of the customer's current IEP and an amendment written and signed during the visit if appropriate. Otherwise, the details of the visit should be thoroughly documented in a case note.

Regardless of the method of follow-up, the generated case note must include specific elements. These elements will ensure that thoughtful and meaningful services are provided to the customer and reliable information is available. Case notes should be clear, concise and relevant. Case notes should be brief and to the point, contain only facts and written in the active voice. The elements of the case notes written during Follow-up should contain:

- Current status of goals listed in IEP
- Case note any changes or advancements. These should be documented in an IEP Amendment and reviewed and signed by both the Career **Development** Coach and the customer at the next face to face meeting.
- Barriers that exist or have come up that may prevent the customer from achieving their goals, **detail options for removing them.**
- What activities has the customer been involved with since the last follow-up.
- What activities the customer wishes to complete or participate in between now and the next follow-up or appointment.
- Any gaps in service/contact explained.
- Next steps for the Career Development Coach and the customer.

**Post Closure Follow-up** will be required once a WIOA case has been closed without activities for a period of 90 days. Cases that enter Post Closure Follow-up are required to have follow-up activities provided for a minimum of one follow-up each quarter for the first four quarters after exit (90 days with no activity). **One type of follow-up service highlighted in WIOA is to provide individuals counseling about the workplace.** It is the intent of WIOA that follow-up services are meaningful and are designed to provide continued support for customers that have exited WIOA. At least three (3) follow-up attempts must be made to a customer each quarter. Unsuccessful attempts must be documented in the follow-up module in Employ Florida (EF) to include the date, time and method of the follow-up.

Successful follow-up attempts should be completed in the follow-up module as well as a case note entry detailing what was discussed during the follow-up, the status and progress of the customer and any additional barriers or assistance that may be needed. Note: additional follow-up services may be provided to a customer without reopening their WIOA case by notating the provided services on the customer WIOA application module in **EF** using the 'F' or 'Follow-up' level activities. Follow-up services do not engage, nor extend participation.

## **V. Supportive Services**

- To be eligible for support service assistance under the WIOA Program, customers must be enrolled in Individualized Career Services or Training Services.
- Supportive Services should be used to address the participant's barriers identified through the initial or objective assessment and must be documented in the participant's Individual Employment Plan (IEP) or Individual Service Strategy (ISS) as appropriate through the use of the Cost of Attendance (COA form).
- No support services will be provided without the coordination of management at the Assistant Director level or higher.
- Supportive services must be necessary to enable the individual to participate in career services or training activities.
- Support Services must not be available from other sources.

F. Abuse of support services may result in discontinuance of these services and/or WIOA funding. *Employees of the Citrus, Levy, Marion Regional Workforce Development Board are not eligible for WIOA Support Services.*

G. Supportive Services will not be limited by a specific cap but will instead be based on need.

### **Travel Assistance**

Travel assistance issuance is designed to assist a customer that is satisfactorily attending training with the actual costs of travel to and from educational institutions and program associated activities such as internships, work experience, clinicals or other required activities necessary for program completion. Travel assistance will only be issued on a reloadable or one-time use debit card and is issued on a reimbursement basis. All customers receiving travel assistance will need to provide documentation for the prior period illustrating the travel that occurred. Travel assistance may be issued on an 'up-front' basis, but should only be done during extenuating circumstances and requires pre-approval from a member of management at the **Assistant Director level or above.**

Travel assistance is routinely reserved for customers that are participating in a career or training service that is not eligible for additional financial aid through PELL. Customers participating in PELL eligible programs are awarded additional WIOA funds toward tuition, book and fee costs that PELL would normally cover to compensate for the actual or overall costs of training. *Reference OPS-27 Individual Training Account (ITA Budgeting and Fund Coordination Policy).* Exceptions to this may be made with pre-approval from a member of management at the **Assistant Director level or above.**

Training programs that are not PELL eligible as well as Internships, Work Experience, On the Job Training and Custom Business Training are examples of non-PELL eligible career and training services for which travel assistance can be issued.

Travel assistance will only be reimbursed when documentation showing attendance at training is supplied to the customer's Career **Development** Coach. This documentation must be in the form of a CareerSource Citrus Levy Marion issued attendance sheet or documentation provided by the educational institution, online training provider (when training is required at a location other than the customer's residence) or other training provider such as timesheets or paystubs supplied by an employer while a customer is engaged in work-based training.

Customer's that are deemed eligible to receive travel assistance will be issued assistance in one of two ways:

- a. Customers may receive a flat amount of \$10.00 weekly for weeks where training attendance is documented.
- b. **Customers that travel a total of 50 miles or more a day to attend training activities may receive .25 per mile.** Note that this is limited to approved training providers in the local area of Citrus, Levy and Marion counties.

Travel assistance to any customer shall not exceed \$40.00 or the permissible calculation based on actual mileage driven in a four-week period. However, flexibility is key in assisting program participants achieve their goals. Exception to this policy may be permitted at any time based on current economic conditions. Exceptions require approval from a member of management at the **Assistant Director level or above**. A case note or documentation will be required and included in the customer's e-file detailing the reason for the **exception (i.e. economic conditions including fuel costs that would limit the customer's ability to remain in training)**.

#### **Bus Passes:**

Bus passes are available for those customers who use public transportation in order to get to and from their activity and/or to transport children to childcare facilities. **In Marion County, where public transportation is readily available, this method of travel reimbursement shall be considered first by the Career **Development** Coach and customer when developing a travel plan.**

- a. Regular passes are valid for one calendar month (from the first to the last day of the month). The current cost is \$45.00.
- b. Career **Development** Coaches may request bus passes for the subsequent month starting the 25<sup>th</sup> of the current month through the 15<sup>th</sup> of the subsequent month. For example, passes for the month of September may be requested beginning August 25 through September 15. Any passes issued after the 15<sup>th</sup> will be by exception only and approved by the Finance Department staff.
- c. Any unused bus passes must be returned to the Finance Department on the first Friday of the month.

#### **Cab Service:**

- a. May be used when there is absolutely no other transportation service available.
- b. Must be pre-approved by a member of management at the **Assistant Director level or higher**.
- c. The customer may be paid in advance or reimbursed for cab fare up to \$20.00 per day.
- d. The cab fare receipt must accompany documentation for reimbursement.

#### **Childcare Assistance Services**

- a. Childcare services are available only on a case-by-case basis for special grant activities. Services are provided which appropriately support WIOA customers so that they may most effectively participate in approved activities. These activities may occur while participation in Individualized and Training Services.
- b. Customers participating in full-time training may receive reimbursement up to **\$157.44 weekly per child for full time childcare and up to \$118.14 (based on a 25% reduction in hours from full time training) weekly per child for part-time childcare based on average costs as report by the Child Care Resource and Referral Network (CCR&R) as of 2020**.
- c. All childcare assistance will be issued as a reimbursement to the customer for expenses incurred during the previous month. All expenses must gain pre-approval from a member of management at the Assistant Director level or higher. Each customer that receives childcare assistance will be informed of the expenses that will be reimbursed

by CareerSource Citrus Levy Marion through the development of the Scholarship Voucher Agreement (SVA) or the Support Service Agreement (SSA).

- d. If the customer's economic condition requires pre-payment of childcare services, interim approval must be obtained from a member of management at the **Assistant Director level or higher**.
- e. Childcare Assistance is available for a duration of up to six (6) months while the customer is fully participating in the activities as detailed in their Individual Employment Plan.
- f. Customers may require childcare to cover their study time. Many childcare providers charge a daily fee regardless of hours in attendance; therefore, full-time day care may be provided for fully participating students.
- g. Many training programs require Co-Op, practicum, clinical or laboratory experiences that occur in addition to the regularly scheduled courses. Assistance for childcare may support daycare during the time-period in which the customer is participating in these required training components.
- h. Some customers will need to maintain employment while participating in a training program. Assistance may be approved for the cost of childcare during the time-period in which the customer is engaged in employment.
- i. Training and Employment activities will be recorded on a customer timesheet to validate the customer's current and ongoing engagement in the training/employment activity. The timesheet, along with all appropriate backup documentation, will be submitted to finance to substantiate the childcare fees.
- j. The childcare budget and duration will be documented in the Customer's Scholarship Voucher Agreement (SVA) or Support Services Agreement (SSA).
- k. Reimbursement will occur monthly.

1. **Reloadable/Instant Issue Debit Cards:**

- a. Reloadable cards are ordered by finance from Global Cash Cards (run by ADP) and batches of cards are delivered to finance with no cash value assigned to them. Reloadable cards are kept with the bookkeeper in a securely locked file drawer. When reloadable cards are requested the bookkeeping department, upon approval from management at the Assistant Director level or higher, issues the card and mails directly to the customer. Once the customer is in receipt of the reloadable card and they advise their Career Development Coach they have activated the card, a request is made for support services amount to be loaded to the card. We do not purchase, distribute or house any pre-paid cards.
- b. Career Coaches must obtain supporting documentation before or after the use of such cards to ensure the card was used for the documented need and intended purpose. This will include but not limited to timesheets, paystubs, estimates, lease agreements, eviction notices, utility bills, invoices and receipts. Career Coaches will scan all documentation into Atlas.
- c. Reloadable cards are issued once. Funds can be placed on the card multiple times based on procedures detailed in this policy.
- d. The amount of issuance will be mathematically rounded when reloadable cards are utilized in order for cards to be issued in ten dollar increments.
- e. If a customer reports that a card is lost or stolen, the Career Development Coach will report this to the Finance Department and the Program Director. A member of management at the **Assistant Director level or higher**, must approve all card replacements.

**I. Documentation of Program Services and Support Assistance**

As supportive services are paid directly to or on behalf of eligible participants, LWDBs are required to maintain documentation sufficient to satisfy the requirements of this policy to ensure that funds are allowable and used for the intended purpose. At a minimum, documentation must include:

- a. The Activity Form, Scholarship Voucher Agreement, Support Services Agreement, Cost of Attendance, paystubs or written statements from employers or education partners shall be the documents of record for verifying participation and receipt of support services.
- b. Determination of the participant's need for supportive services included in the participant's IEP/ISS. Must include a budget/financial analysis form Cost of Attendance (COA) signed by the participant reflecting the participant's financial situation. An explanation regarding the participant's need for supportive services must be included in the participant's case notes in Employ Florida.
- c. Career Coaches are responsible for case notes either confirming that the needed supportive services were not available through other programs providing such services or that the urgency of the needed supportive service was such that referrals to other resources would delay the provision of the supportive service and create a hardship for the participant.
- d. Records of payments to vendors, including date of receipt, the amount of payment, check/voucher number, etc.
- e. For participants enrolled in training, proof/verification of attendance in training programs.
- f. For participants receiving assistance with childcare or dependent care, documentation of other resources explored.
- g. For participants receiving needs-related payments, documents used to determine the participant's eligibility for such payments and payment level.
- h. Ensure supportive services are WIOA-funded only when these services are not available through other agencies and that services are necessary for the individual to participate in WIOA career or training services.
- i. All disbursements of supported services are tracked in our financial management systems.

<b>Supportive Service</b>	<b>Required Documentation</b>
Travel-mileage reimbursement	CareerSource Citrus Levy Marion issued attendance sheet documentation provided by the educational institution, or actual mileage based on leading mapping software (screen shots, printouts)
Bus Passes	Attestation from candidate that public transportation is necessary
Cab Services	Proof no other transportation is available
Childcare	Training and Employment customer timesheet to validate the customer's current and ongoing engagement in the training/employment activity, along with receipts from daycare
Rent/Mortgage Payments	Copy of lease/mortgage statement reflecting past due amount
Utilities	Copy of statement reflecting past due amount
Clothing/Uniforms/Equipment	Two quotes for items requested, receipts
Ancillary Auto Expenses	Two quotes for repairs requested, current vehicle registration, driver's license, schedule of fees
Tangible Items	Two quotes for items requested
All other services	Receipts, copy of bills

## II. **AD – OSO Youth (18-24) Needs Related Payments**

- A.** As supportive services are not an entitlement, staff must first determine a participant to be in financial need of supportive services before they are provided. Supportive services should be used to address the participant's barriers identified through the initial or objective assessment process. The plan for addressing these barriers, to include the provision of supportive services, must be documented in the participant's Individual Employment Plan (IEP) or Individual Service Strategy (ISS), as appropriate. LWDBs are encouraged to develop and use additional supporting documentation that demonstrates the participant's financial need, such as a budget/financial analysis form and/or a Statement of Need signed by the participant. The Cost of Attendance Form (COA) will be used to determine the participant's financial need.
- B.** Payment level of needs related payments will be determined using the 100% LLSIL Metro based on family size. For statewide projects, the payment level must be established by the State Workforce Development board.
- C.** To receive needs related payments, adults and OSY (ages 18-24) must:
1. Be unemployed;
  2. Not qualify for, or have ceased qualifying for, Reemployment Assistance (RA) benefits; and
  3. Be enrolled in training services authorized under WIOA sec. 134(c)(3).
- D.** Budget will be established and reviewed with participant for needs related payments and will be reviewed on a quarterly basis.

## III. **Dislocated Worker Reemployment Needs-related payments**

WIOA States that Funds allocated to a local area for adults under paragraph (2)(A) or (3) as appropriate, of WIOA section 133(b), and dislocated workers under WIOA section 133(b)(2)(B), may be used to provide needs related payments to adults and dislocated workers, respectively, who are unemployed and do not qualify for, or have ceased to qualify for, reemployment compensation ((including Trade Readjustment Act (TRA) benefits)) for the purpose of enabling such individuals to participate in programs of training services under WIOA subsection (c)(3).

To receive needs related payments, dislocated workers must be unemployed, and:

1. Have ceased to qualify for RA benefits or Trade Readjustment Allowance (TRA) under the Trade Adjustment Assistance (TAA) program; and
2. Be enrolled in training services authorized under WIOA sec. 134(c)(3) by the end of the 13th week after the most recent layoff that resulted in a determination of the worker's eligibility as a dislocated worker, or, if later, by the end of the eighth week after the worker is informed that a short-term layoff will exceed six months; or
3. Be unemployed, deemed ineligible for RA benefits or TRA under the TAA program, and be enrolled in training services authorized under WIOA sec. 134(c)(3).

**Level of Payments**

The level of a needs related payment made to a dislocated worker under this paragraph shall not exceed the greater of:

- a. The applicable level of reemployment assistance; or
- b. If the worker did not qualify for reemployment assistance, an amount equal to the poverty line based on family size divided by 52 equal weekly payments, for an equivalent period, which amount shall be adjusted to reflect changes in total family income.

Needs related payment may be provided on an exception only basis and must be pre-approved in writing by Chief Executive Officer or Executive Vice President or designee. All other options of income must be investigated, exhausted, and documented before a request is made.

**OFFICIAL SIGNATURE**

**Thomas E. Skinner, Jr.  
Chief Executive Officer**

**EVP Coord:**



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021**  
**Executive Meeting, Wednesday, March 3, 2021**

### **TOPIC/ISSUE:**

OPS-81 Welfare Transition Support Services

### **BACKGROUND:**

Per the recent updated policy from CareerSource Florida under Policy 109, we are required to update policy changes regarding Support Services. Additionally, the Programmatic Monitoring Report provided by Underwood Sloan & Associates provided information on a finding in OPS-81, which does not include guidance on the issuance and storage of reloadable/instant issue cards or on the method(s) of delivery to participants. Eligibility for Services amounts and limits were adjusted to current prevailing limits/rates. Job title corrections were also updated.

### **POINTS OF CONSIDERATION:**

Staff have updated Operations policy **OPS-81 Welfare Transition Support Services** to address all the requirements as set forth in CSFL Policy 109 and the Sloan Underwood & Associates Programmatic Monitoring Report as well as under the sub-grantee agreement. Upon approval from the Executive Committee CSCLM is required to send the updates to Department of Economic Opportunity for approval as well.

### **STAFF RECOMMENDATIONS:**

Approve OPS-81 to be implemented under our official policies and procedures.

### **COMMITTEE ACTION:**

Al Jones made a motion to approve OPS-81 to be implemented under our official policies and procedures and submitted to DEO. Pete Beasley seconded the motion. Motion carried.

### **BOARD ACTION:**

# Policy and Procedure



<b>SECTION:</b> Program Operations/WTP	<b>POLICY #:</b> OPS-81	<b>PAGE</b> 1 of 8
<b>TITLE:</b> WTP Support and Incentive Services	<b>EFFECTIVE DATE:</b> 12/03/2020	
<b>REPLACES:</b> OPS-81		<b>DATED:</b> May 18, 2017

## **DISTRIBUTION: CAREERSOURCE CITRUS LEVY MARION STAFF AND PROVIDERS**

**PURPOSE:** To provide guidance by which related travel, childcare and other supportive service payments may be made to the Welfare Transition Program (WTP) customers in order to enable them to participate in their assigned/enrolled activity(ies), training and/or obtain/maintain employment.

**I. POLICY:** The provision of support services, where appropriate, will be contained in the customer’s individual responsibility plan (IRP). Each customer will be individually assessed and must demonstrate a viable need for supportive services. Rationale for approval of these services will be documented by the Career Development Coach in the customer’s file.

These services shall not be provided to customers who have been found eligible but do not agree to participate with program requirements or to follow his/her responsibility plan. Support services are not entitlements and are subject to budgetary constraints; in consequence they may be terminated without notice. All financial disbursements must be approved by an Assistant Director, Director or the Executive Vice President (EVP) or Chief Executive Officer (CEO).

## **II. WELFARE TRANSITION PROGRAM (WTP) ASSISTANCE**

Support services for customers participating in the Welfare Transition (WT) Program are available in three categories.

- **Traditional Support Services:** These services include, but are not limited to, transportation, uniforms, tools, rent and utility assistance, and vehicle repairs. Customers participating in the WT program are not entitled to any retroactive support services or “traditional” support services after their participation in the program ends.
- **Vocational/Educational Support Services:** These services are subject to a maximum disbursement amount for tuition and a separate reasonable maximum disbursement amount for travel cost. Available for customers completing thirty (30) hours or more of employment or training. Vocational support for tuition expenses will only be authorized on program costs that are not eligible for PELL funding. Funding coordination may be conducted to determine the total amount of assistance needed to complete the program.

Funding coordination should be conducted for all PELL eligible programs to determine the reasonable amount of assistance to provide.

- **Employment Support Services:** On-the-Job Training (OJT) services will be authorized up to 75% employer reimbursement.
- **Participation/Employment Benchmark:** Customers that achieve three consecutive months of participation at or above their required participation hours are eligible for a \$100.00 incentive (this incentive can be paid up to four times in a program year). Customers that exit the welfare transition program with employment are eligible for a \$100.00 incentive (this incentive may be once during a program year).

### III. **TRADITIONAL SUPPORT SERVICES GUIDELINES**

- A. Customers that fully participate for a full month may receive a maximum of \$50.00 in travel support services while participating in required activities. Customers that do not participate fully for any given month are not eligible for support services. Any exception to this requires pre-approval from **Assistant Director, Director, EVP or CEO**. Customers that reach 'mandatory' status during any period of the month that does not allow them to participate for the entire month are eligible for \$10.00 weekly for each week active in the program IF they reach their full required participation hours for the partial month. (Example: if a customer enters the program in the third week of the month and fully participates for the remaining two weeks of the month, the customer would be eligible for \$20.00 in travel support services – or \$10.00 for each remaining week of the month assuming that only two full weeks remained in the month.)

If a case is received in the middle of the month but calculation of the participation allows the customer to provide all the required participation for that month, without excused time, and (s)he complies providing all required hours for the month, the customer will receive the full allotment of \$50.00.

- B. Travel and/or support assistance may be provided to customers that are assigned to activities according to WTP policies. The assistance will be issued **after timely receipt of fully and accurately completed documentation** to support the hours completed.

No support service travel assistance will be provided prior to the completion of the assigned activity or for **participation hours that reported to case management staff late**. Participation is due each Monday by 4:00PM. Exceptions to this rule due to extraordinary circumstances must be approved by an **Assistant Director, Director, EVP or CEO**.

- C. All monetary support service amounts are based on budgetary projections and may be changed at any time by CareerSource Citrus Levy Marion depending on availability of funding and the prevailing economic environment.

### IV. **VOCATIONAL/EDUCATIONAL SUPPORT SERVICES**

- A. The Career **Development** Coach will determine if the customer is in need of educational

travel support. In order to qualify for the travel assistance, the customer must comply with program participation requirements.

*Note: OPS-28: Area Targeted Occupation List and Training Provider Selection*, which is available on the organizational intranet, shall be used by Career **Development** Coaches when developing a customer's Individual Responsibility Plan (IRP). As referenced in CareerSource Citrus Levy Marion's *OPS 26: WIOA Eligibility Services*, a customer's program of services must be directly linked to occupations in demand. Also as referenced in CareerSource Citrus Levy Marion's *OPS 27: ATOL Training Provider Variance Request (Form FM-CS-057)* must be used when a training provider or training program is not listed on the local ATOL and a one-time variance is sought. Note: justification for variance must be provided and must document that the variance is in the best interest of the customer and will complement the customer's current skills or previous experience.

- B. The Career **Development** Coach will develop a training budget for the customer using CSCLM's Scholarship Voucher Agreement (FM-CS-007) for all customer's that will be participating in training. The Scholarship Voucher Agreement (SVA) must be approved by the program manager and **an Assistant Director, Director, EVP or CEO**. The approving authority will establish the necessary budget in the financial purchase order system.
- C. For those customers that have self-enrolled into a vocational program (whether currently on our Area Targeted Occupation List or not (if self-funded)), educational travel support may be approved and calculated using the same methodology as described in *Section III Traditional Support Services*. It will be based on the remaining time in the program, as long as the activity is used as their participation activity. Documentation must be obtained that establishes proof of enrollment and an anticipated end date of the program. The service will be issued on a prospective basis meaning that assistance may only be issued from the time it was approved and may not be issued to cover costs prior to approval. The customer will need to provide weekly documentation showing full attendance in the training to be eligible for support services.

## V. **EMPLOYMENT SUPPORT**

- A. **OJT Participation.** Qualifying customers may be approved at an employee reimbursement rate of 75% - reference *OPS-69: On the Job Training* for specifics. Per state and local policy, the reimbursement rate is contingent on specific targeted populations.

**Advance Travel Support.** In instances whereby the customer, due to varying payroll cycles, may not receive their first **paycheck** for up to three weeks, travel assistance advances may be issued. Customers will be required to provide documentation verifying employment from the beginning of employment through the first projected pay date. Advances may be calculated at a rate of **.25** per mile (times) daily required mileage (times) the number of days of work prior to the first pay date.

Travel advances should only be requested when an urgent need is identified and employment cannot be maintained without a travel advance. Travel advances must be approved by an **Assistant Director, Director, EVP or CEO**.

## **VI. PARTICIPATION/EMPLOYMENT BENCHMARK**

- A. Participation.** Customers may qualify for a maximum of **four (4)** \$100.00 participation incentives per program year (July 1 through June 30). Participation incentives are achieved when a customer successfully completes three full months of participation by providing appropriate and timely documentation to the Career **Development** Coach showing that they have completed all or more of their required participation hours. A full month will be defined as a month in which the customer is required to participate at least four weeks within the month. Three full months will be defined as three consecutive months in which required participation hours were achieved each of the consecutively counted months (not counting any previously counted months).
- B. Employment.** Customers may qualify for a maximum of one (1) \$100.00 employment incentive per program year (July 1 through June 30). Customers will be eligible for the employment incentive when verification of employment is provided to the customer's case manager **AND** the customer's case is scheduled to close due to income.

No more than a maximum of **\$500.00** may be provided to any one customer in the form of Participation or Employment incentives per program year.

## **VII. ELIGIBILITY FOR SERVICES**

### **A. Mandatory WTP Customers**

1. To be eligible for support services the WTP customer must be participating in countable activity(ies) and complying with activity(ies) as required by the WT program, unless excused for good cause. Customers must be notified when the countable activity ends. Any support service and assistance requested for any period after the countable activity ends will not be approved and is the complete responsibility of the customer.
2. Abuse of support services and assistance will result in discontinuance of support services and assistance.

### **B. Transitional WTP Customers:**

1. To be eligible for transitional support services and assistance, the transitional customer must:
  - a) be employed;
  - b) Temporary Cash Assistance (TCA) cancelled due to **earned income**;

- c) current income does not exceed 200% of the federal poverty level;
  - d) submit ongoing paystubs verifying continued employment; and
  - e) notify their Career **Development** Coach when employment ends.
2. **Retroactive Support Services:** Transitional customers are not entitled to retroactive support services after their employment ends. Receipt of retroactive transportation can only be approved by an **Assistant Director, Director, EVP, or CEO** if payment was not previously made and the customer can provide documentation of full engagement in work during the time of the request. If services have been provided to a customer who is not eligible, the Career Development Coach is required to recover the overpayment.
  3. **Transitional transportation:** Customers may be approved for transitional transportation assistance **for up to one (1) year** from the date of case closure. Assistance for this service is contingent on funding availability. The Career **Development** Coach shall determine the frequency of the distribution and will work with the customer to assist in moving the customer from workforce supported transportation funds to self-sufficient transportation.
  4. **Transitional education and training:** Employed customers may be eligible for education and training assistance for up to two (2) years from the last month of receipt of cash assistance. ***Assistance for this service is contingent on funding availability.*** The education and training must be job related; may include training to improve job skills in an existing area of employment, or help prepare for employment in another demand career. Requirements for approval of education and training will be in accordance with established local guidelines and processes. **Vocational support for tuition expenses will only be authorized on program costs that are not eligible for PELL funding. Funding coordination may be conducted to determine the total amount of assistance needed to complete the program. A determination and coordination of fund availability may be conducted using the *FM-CS-034 Cost of Attendance* form.**

**VIII. METHODS OF DISBURSEMENT:** Travel or Support Assistance will be provided by one of the following methods:

**A. **Reloadable Debit Cards:****

1. Travel assistance and/or miscellaneous support allotment to any customer (Mandatory or Transitional) shall not exceed a maximum of \$50.00 monthly. Exception to this maximum amount requires approval from management at the **Assistant Director level or higher and must have justifiable reasoning and documentation to support additional services.**
2. Customers are solely responsible for the reloadable cards issued to them. If a card is lost or stolen, the customer will be advised to notify his/her Career **Development**

Coach and to contact Global Cash Customer Service (1-866-395-9200) and request a new card. To avoid reloading a lost or stolen card, the Career **Development** Coach will not request support services until the new card is issued to the customer.

**B. Bus Passes/Tokens:** Bus passes/tokens are available for customers who use public transportation in order to get to and from their activity and/or transport children to childcare facilities. **In Marion County, where public transportation is available, this method of travel reimbursement shall be considered first by the Career Development Coach and customer when developing a travel plan.**

1. **Passes:** are valid for one calendar month (from the first day of the month to the last day of the month).
  - a) Staff may request bus passes for the subsequent month starting the 25<sup>th</sup> of the current month through the 15<sup>th</sup> of the subsequent month. For example, passes for the month of September may be requested beginning August 25<sup>th</sup> through September 15<sup>th</sup>.
  - b) Any passes issued after the 15<sup>th</sup> of the subsequent month will require pre-approval from program management.

**C. Checks:** May be used as a last resort as the method of disbursement.

## **IX. OTHER WTP SUPPORTIVE SERVICES**

**A. Childcare Assistance:** Childcare assistance will be provided by the Early Learning Coalition (ELC) in each county in accordance with current CareerSource/ELC policy and procedures. Transitional Childcare Assistance may be provided for a total of up to twenty-four (24) months.

**B. Miscellaneous Support Assistance:** Other support services and assistance will be approved in accordance with current CareerSource Citrus Levy Marion policies and procedures.

**C. Relocation Assistance:** Refer to CareerSource Citrus Levy Marion's *OPS-54-Relocation Assistance Program*.

## **X. DOCUMENTATION OF SUPPORT ASSISTANCE**

**A.** The Individual Responsibility Plan shall document all barriers **and supportive services to be provided to overcome those barriers.**

**B.** Time Sheets for the particular activity or Pay Stubs for employed customers will be the document of record for verifying participation.

- C. The use of standardized Case Note Templates is permissible as long as the template is customizable for each individual. The standardized templates allow for full documentation as required by CSCLM and the Department of Economic Opportunity (DEO).

## **XI. RELOADABLE CARD DISPOSITIONS**

### **A. Career Development Coaches**

1. Reloadable Debit Cards will be requested from the Finance Department. Requests must include a copy of a Driver License, Social Security card and enrollment form signed by the participant. This is necessary to verify the customer's identity and signature.
2. Reloadable cards are ordered by finance from Global Cash Cards (run by ADP) and batches of cards are delivered to finance with no cash value assigned to them. Reloadable cards are kept with the bookkeeper in a securely locked file drawer. When reloadable cards are requested the bookkeeping department, upon approval from management at the Assistant Director level or higher, issues the card and mails directly to the customer. Once the customer is in receipt of the reloadable card and they advise their Career Development Coach they have activated the card, a request is made for support services amount to be loaded to the card. We do not purchase, distribute or house any pre-paid cards.
3. Career Development Coaches must obtain supporting documentation before or after the use of such cards to ensure the card was used for the documented need and intended purpose. This will include but not limited to timesheets, pay stubs, estimates, lease agreements, eviction notices, utility bills, invoices and receipts. Career Development Coaches will scan all documentation into Atlas. Additionally, finance staff have access to the list of purchases made on the card and can pull purchase records if needed. However, it is our intent to keep the responsibility on the customer to provide back-up when assistance is provided.
4. Services are provided by reimbursement at all times possible. If reimbursement is not possible then receipt documentation must be provided to the Career Development Coach after the supportive service funds are spent. (Note this is not a requirement for incentives or transportation assistance distributed per this policy.)
5. Career Development Coaches will scan into ATLAS the documentation related to the card/load request signed by customer.

### **B. Delivering Cards to the WTP Participants**

1. Reloadable Cards will be issued to participants based on the service details listed in this operating policy.
2. The customer will sign an enrollment form at the time of applying for the card. The signature must be dated and the enrollment form scanned into the customer's ATLAS file.
3. A case note will be entered stating the date that the card was received by the customer.
4. The Career **Development** Coach will create an account in the Gazelle System for each customer.

### **C. Requesting reload of cards for the WTP Participants**

1. Career Development Coaches will provide the required documentation being submitted for the support service by use of system screen shots.
2. Job Participation Rate (JPR) updates and entries will be completed in the One-Stop Service Tracking (OSST) System.
3. A complete case note will be entered in OSST for JPR entry.
4. In OSST under the "skill development" section, the Career **Development** Coach will enter the support service under "services", selecting CareerSource Citrus Levy Marion as the provider and entering in the card details / cost.

### **D. Submitting Logs to Finance**

1. Request to reload the card will be uploaded to the "Approvals" Folder in the Z drive. Request must include:
  - Copy of case note
  - Copy of JPR Screen showing that hours for corresponding period are entered
  - Copy of Voucher printed out of Gazelle System under the customer's account
  - Copy of Time Sheets (Exception: Job Search Log Forms and its supporting documentation are not required to be sent to Finance)
2. Requests will be reviewed for full compliance by the Program Manager. Final approval will be made by management at the **Assistant Director** level or higher.
3. The Finance Department will be notified by the signing authority that the request was approved and the requested amount of money will be deposited on the Reloadable Card.

**OFFICIAL SIGNATURE**

**Thomas E. Skinner, Jr.  
Chief Executive Officer**

**EVP Coord.**

CareerSource Citrus Levy Marion is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers listed above may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711. If you need accommodations, please call 800 434-5627, ext 7878 or e-mail accommodations@careersourceclm.com. Please make request at least three business days in advance. A proud member of the American Job Center Network.

# 2020 State Fact Sheet FLORIDA

## Children in Florida

Children under six

1,334,082

Children with all parents in the workforce

854,849

Children at or near poverty level

639,144

## Child Care Spaces

2018 2019 As of July 2020

Child Care Center Spaces

726,078

738,803

722,894

Family Child Care Spaces

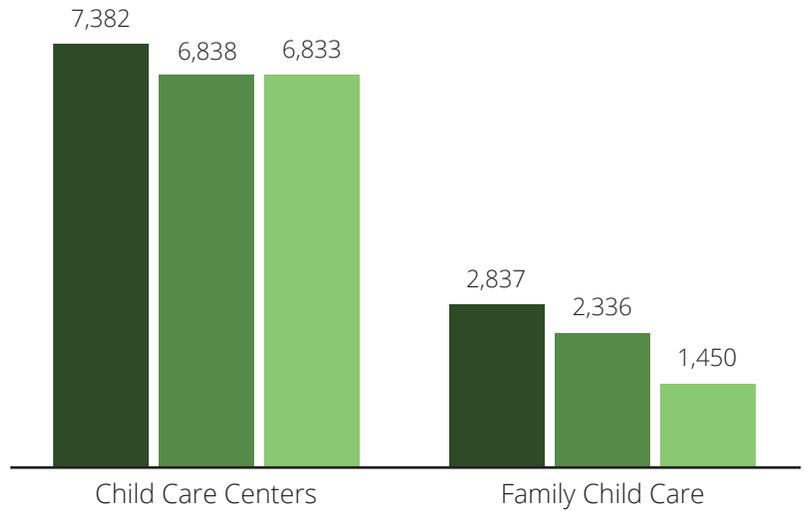
27,703

22,756

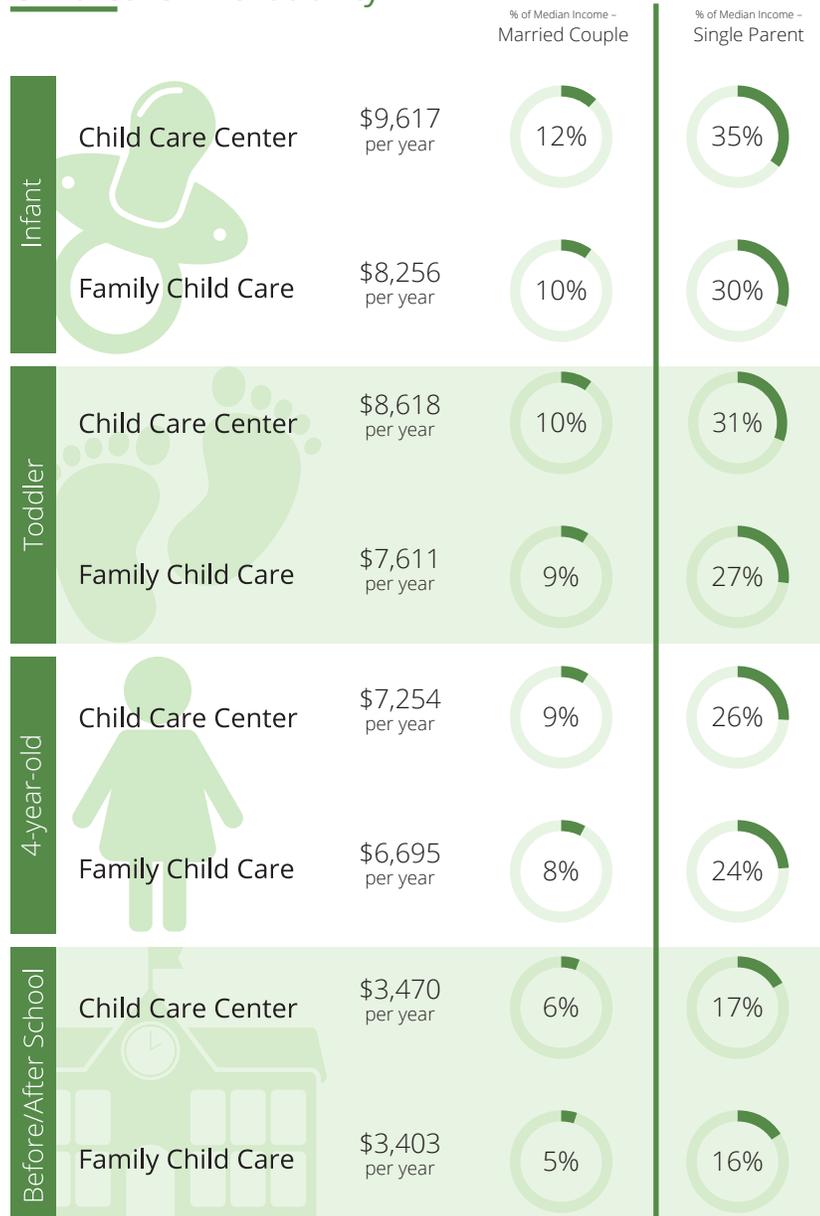
14,265

## Child Care Programs

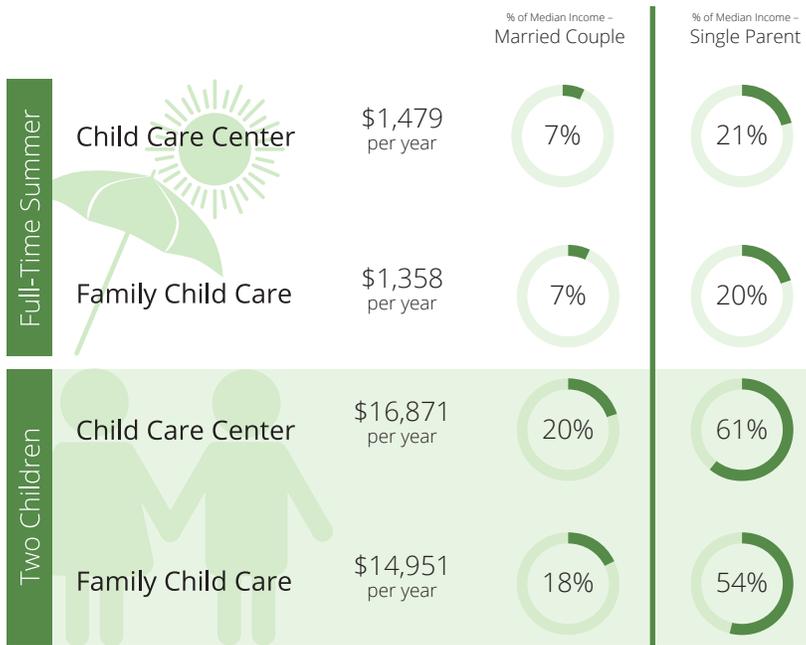
2018 2019 As of July 2020



## Child Care Affordability



## Child Care Affordability Cont'd

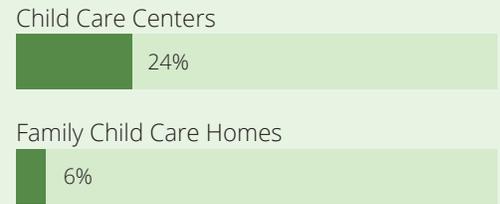


## CCR&R Services

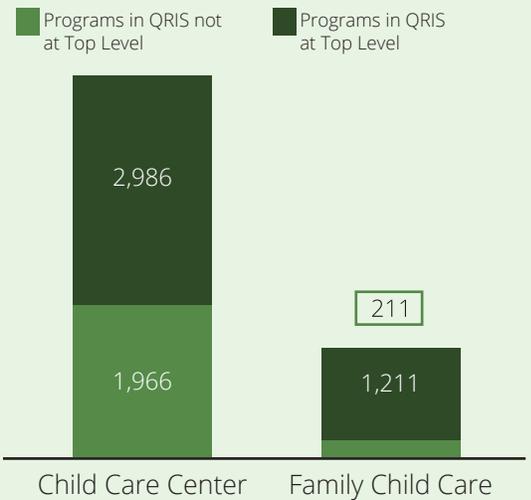
**54,863**  
referrals received

## Child Care Quality

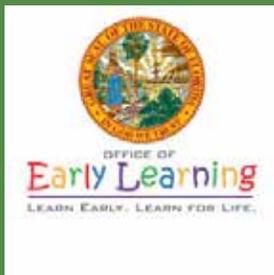
### % of Nationally Accredited Programs



### Quality Rating and Improvement System



## Contacts



[www.floridaearlylearning.com](http://www.floridaearlylearning.com)



[childcareaware.org](http://childcareaware.org)



## **RECORD OF ACTION/APPROVAL**

**Board Meeting, Wednesday, March 24, 2021**  
**Executive Meeting, Wednesday, March 3, 2021**

### **TOPIC/ISSUE:**

Request for Attorney General's Opinion: Conflict

### **BACKGROUND:**

The Sub-grantee Agreement requirement that a board member physically leave a board meeting when a conflict is declared on a board vote is in direct conflict of Florida statutes. The conflict creates financial and criminal liability for board members, and ultimately the contract in conflict could be deemed voidable.

### **POINTS OF CONSIDERATION:**

### **STAFF RECOMMENDATIONS:**

Board Attorney, Bob Stermer, drafted a letter seeking guidance from the Attorney General on the matter.

### **COMMITTEE ACTION:**

Al Jones made a motion to approve sending the Request for Attorney General Opinion. Pete Beasley seconded the motion. Motion carried.

### **BOARD ACTION:**

# ROBERT A. STERMER

ATTORNEY AT LAW  
7480 SW HIGHWAY 200  
OCALA, FLORIDA 34476

TELEPHONE: (352) 861-0447

E-MAIL: SV1@ATLANTIC.NET

FACSIMILE: (352) 861-0494

March 12, 2021

Honorable Ashley Moody  
Attorney General  
Office of the Attorney General  
State of Florida  
The Capitol  
Tallahassee, FL 32399-1050

RE: Request for Attorney General Opinion re: Citrus Levy Marion Regional Workforce Development Board, Inc.

Dear Attorney General Bondi:

This office represents the Board of Directors of the Citrus Levy Marion Regional Workforce Development Board, Inc. ("CLM"), a special district of the State of Florida and an entity which is a subgrantee of the Florida Department of Economic Opportunity ("DEO") for various workforce development funds provided by the United States Department of Labor. By unanimous vote of the Executive Committee of CLM, I have been asked to request you to render an opinion on the following question:

Whether a contract provision required by DEO in its contract with CLM and with all sixteen (16) of the other subgrantees to administer Federal workforce development funds is unenforceable as a matter of public policy, or, if enforceable, that CLM and its Board members will not be liable either civilly or criminally for enforcing the contractual provision. Specifically, whether the contractual provision is consistent with the provisions of Florida Statutes §286.011(2) and Florida Statutes §445.007(1) requiring that there be public access to all meetings of the Board and its various committees or whether Board members and employees declaring a conflict of interest may lawfully be excluded from Board Meetings and subcommittee meetings without subjecting the Board to potential non-criminal and Board members to potential criminal penalties.

## Factual Background

In 2014 the Congress of the United States enacted Public Law 113-128 which is commonly known as the "Workforce Innovation and Opportunity Act of 2014" ("WIOA"). WIOA established a program to prepare youth and unskilled adults for entry into the labor force and to afford job training to those economically disadvantaged individuals and other individuals facing serious barriers to employment who are in special need of such training to obtain productive employment.

WIOA required the State of Florida to designate Service Delivery Areas (“SDAs”) to promote the effective delivery of job training services and further provided that a consortium of units of general local government might constitute such an SDA. The Governor of the State of Florida has designated a consortium of Citrus, Levy and Marion Counties to constitute one such Service Delivery Area. The aforementioned counties subsequently entered into an Interlocal Agreement which created CLM as their Regional Workforce Board. CLM is incorporated under the laws of the State of Florida as a not-for-profit corporation.

Recently, DEO required each SDA, including CLM, to enter into a Subgrantee Agreement (a copy of which is attached to the Accompanying Memorandum of Law) which specifies how subgrantees shall administer WIOA funds. That agreement contains a provision which requires Board members who declare a conflict of interest to leave Board meetings while the matter which was the subject of the conflict of interest declaration is discussed and voted upon. CLM’s Board is concerned that enforcement of the provision, which is apparently contrary to both Florida Statutes §289.011(1) and Florida Statutes §445.007(1) may result in CLM being assessed up to a \$500 non-criminal fine as set forth in Florida Statutes §286.011(3)(a) or individual Board members being subject to the criminal provisions of §286.011(3)(b). Accordingly, the CLM Board is seeking an Attorney General’s opinion as to the correct course of action.

This is a matter of some urgency for the Board as it will be voting at its upcoming June meeting to enter into a number of contracts for which various Board members may have conflicts of interest. Given the analysis contained in the attached Memorandum of Law, without an Attorney General’s opinion one way or the other, I feel it would be inadvisable for any Board member to attend the June Board meeting, much less vote on any matter coming before the Board.

Should you require any further information in regard to the foregoing, please do not hesitate to contact me. I remain,

Very truly yours,

Robert A. Stermer

RAS/ydw  
Enclosure

## Memorandum of Law

From: Robert A. Stermer  
Counsel for Citrus Levy Marion Regional Workforce Development Board, Inc.

To: Ashley Moody  
Attorney General, State of Florida

Date: March 12, 2021

Subject: Validity of a contractual provision between the State of Florida Department of Economic Opportunity (“DEO”) and the Citrus Levy Marion Regional Workforce Board, Inc., a Florida Special District (“CLM”) requiring CLM Board members and employees who declare a conflict of interest at a Board or committee meeting to leave the meeting room while the matter necessitating the declaration of conflict of interest is discussed and voted upon.

### 1. Introduction.

The Workforce Innovation and Opportunity Act, Pub. L. 113-128, (“WIOA”) is the federal legislation which sets forth the conditions under which states may receive various funds from the federal government to facilitate the development of its workforce. Chapter 445 of Florida Statutes, Workforce Services, sets forth Florida’s implementation of the requirements of WIOA.

In accordance with WIOA, Chapter 445 requires the Governor to designate Regional Service Delivery Areas (“SDAs”) to receive and administer WIOA funds. The Governor has established seventeen (17) such areas. One of the SDAs encompasses Citrus, Levy and Marion Counties. Those counties entered into an Interlocal Agreement to establish the Citrus Levy Marion Regional Workforce Development Board, Inc., a non-profit corporation (“CLM,”) to administer the WIOA funds allocated to the three county SDA. CLM has been determined to be a Special District by the then Department of Community Affairs, now a bureau/unit within DEO.

In accordance with WIOA and Chapter 445, DEO and CLM entered into a Grantee-Subgrantee Agreement (“Agreement”<sup>1</sup>) to delineate the duties and responsibilities of the parties with respect to funds administered under Chapter 445. A copy of the Agreement is attached hereto as Exhibit “A.” The provision in question, Paragraph 15.c.i. , provides in pertinent part:

i. Prior to entering into any Related Party Contract with any Related Party, the proposed Related Party Contract must be brought before the Board for consideration and approval. The Board shall ensure that: (i) the Board member or employee with the conflict removes himself or herself from the room prior to any discussions at any meeting, including subcommittee meetings, involving the contract; (ii) the Board member or employee with the conflict is not physically present during the voting; and (iii) the Board member with the conflict abstains from any vote regarding the Related Party Contract.

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<sup>1</sup> Referred to as a Memorandum of Understanding in F.S. §445.009(4).

The problematic portions of the above-quoted provision are subsections (i) and (ii) which require the Board to ensure that Board members or employees having a conflict remove themselves from the room prior any discussion involving a proposed contract and further require Board Members to not be physically present during voting. There is no dispute as to subparagraph (iii) which requires Board members to abstain from voting on any matter for which they have a conflict of interest. The Board is concerned that enforcement of subparagraphs (i) and (ii) will subject the Board to a potential non-criminal penalty under Florida Statutes §286.011(3)(a) and could subject Board members to potential criminal liability under Florida Statutes §286.011(3)(c)) merely for the act of attending a Board or committee/subcommittee meeting. Thus, the Board seeks guidance as to whether the contractual provision quoted above is unenforceable as a matter of public policy, or, if enforceable, that CLM and its Board members will not be liable either civilly (as to the Board) or criminally (as to the individual Board members in attendance) for enforcing the contractual provision.

## 2. The Law.

The starting point for analysis is the Florida Constitution which provides in Article I, Section 24 as follows:

### Access to Public Records and Meetings

(a) Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution. This section specifically includes the legislative, executive, and judicial branches of government and each agency or department created thereunder; counties, municipalities, and districts; and each constitutional officer, board, and commission, or entity created pursuant to law or this Constitution.

**(b) All meetings of any collegial public body of the executive branch of state government or of any collegial public body of a county, municipality, school district, or special district, at which official acts are to be taken or at which public business of such body is to be transacted or discussed, shall be open and noticed to the public<sup>2</sup> and meetings of the legislature shall be open and noticed as provided in Article III, Section 4(e), except with respect to meetings exempted pursuant to this section or specifically closed by this Constitution.**

(c) This section shall be self-executing. **The legislature, however, may provide by general law passed by a two-thirds vote of each house for the exemption of records from the requirements of subsection (a) and the exemption of meetings from the requirements of subsection (b), provided that such law shall state with specificity the public necessity justifying the exemption and**

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<sup>2</sup>Emphasis added.

**shall be no broader than necessary to accomplish the stated purpose of the law.**<sup>2</sup> The legislature shall enact laws governing the enforcement of this section, including the maintenance, control, destruction, disposal, and disposition of records made public by this section, except that each house of the legislature may adopt rules governing the enforcement of this section in relation to records of the legislative branch. Laws enacted pursuant to this subsection shall contain only exemptions from the requirements of subsections (a) or (b) and provisions governing the enforcement of this section, and shall relate to one subject.

(d) All laws that are in effect on July 1, 1993 that limit public access to records or meetings shall remain in force, and such laws apply to records of the legislative and judicial branches, until they are repealed. Rules of court that are in effect on the date of adoption of this section that limit access to records shall remain in effect until they are repealed.

Florida Statutes, §286.011(1) and (2) provide m:

(1) All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, including meetings with or attended by any person elected to such board or commission, but who has not yet taken office, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting. The board or commission must provide reasonable notice of all such meetings.

(2) The minutes of a meeting of any such board or commission of any such state agency or authority shall be promptly recorded, and such records shall be open to public inspection. The circuit courts of this state shall have jurisdiction to issue injunctions to enforce the purposes of this section upon application by any citizen of this state.

It is clear from the Florida Constitution that the public is required to be allowed access to all meetings unless a specific statutory exemption exists. A review of the Florida Statutes finds no law exempting Workforce Development Boards from the Application of Article I, Section 24. In fact F.S. §445.007(1) subjects Workforce Development Boards to Art. I, Section 24 of the Florida Constitution and to Florida Statutes Chapters 119 and 286 in their entirety. Specifically, F.S. §445.007(1) provides, “Regional workforce boards are subject to chapters 119 and 286 and s. 24, Art. I of the State Constitution.” Thus, there is no question as to the applicability of both Art I, s.24 of the Florida Constitution and Chapters 119 and 286 of Florida Statutes.

However, there may be a question as to whether Board members and CLM employees are members of the “public” for the purposes of the Florida Constitution and Chapter 286. Unfortunately, the term “public” is nowhere defined in Chapter 286 as it applies to who is entitled

to access public records or attend meetings.

The term “public” is indirectly defined in Florida Statute §119.07(1)(a) in regard to public records wherein it is stated “(1)(a) Every person who has custody of a public record shall permit the record to be inspected and copied by **any person** desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.” Thus, it is clear that Chapter 119 applies to public records requests received from “any person” and as Florida Statutes §286.011 applies to requests from the “the public,” it appears that the term “the public” means any person. This conclusion is further buttressed by the concluding sentence of F.S. §286.011(2) which grants jurisdiction to the Circuit Courts to enforce the section upon application by **any citizen** of the state. It would also seem that the term applies to both public records and public meetings, as it would be a very odd interpretation indeed which would hold that for the purpose of accessing public records, the Chapter 286 reference to the “public” applies to “any person,” but for the purpose of attendance at public meetings, Chapter 286 applies to a restricted subset of the population. This is especially true given that exemptions from the requirements of Art. I, s.24 of the Florida Constitution require a two-thirds vote of both houses of the Florida Legislature, “such law shall state with specificity the public necessity justifying the exemption and shall be no broader than necessary to accomplish the stated purpose of the law,” and no such vote has occurred.

This position is supported by both prior Attorney General opinions and Court decisions. In AGO 79-01 the Attorney General approvingly pointed out that Webster’s Third International Dictionary defined “public” to mean “the people as a whole,” and that the staff of a municipal housing authority were members of the public as well as employees of the Housing Authority and hence could not be excluded from its meetings. In *Port Everglades Authority v. Int’l Longshoremen’s Ass’n, Local 1922-1*, 652 So. 2d 1169 (Fla. 4<sup>th</sup> DCA 1995) the Court held that a mere request for bidders to leave the room while their competitors made presentations on their bids not only violated the Sunshine Law but caused the contracts issued to be invalidated. In AGO 99-53 the Attorney General ruled that the Sunshine law must be “broadly construed to effect its remedial and protective purpose.” The Attorney General cited *Times Publishing Company v. Williams*, 222 So. 2d 470.473(Fla. 2d DCA 1969) which states “each. . . step [in the decision making process] constitutes an “official act,” an indispensable prerequisite to “formal action,” within the meaning of the act.” AGO 99-53 goes on to point out that the Florida Supreme Court has held in *Town of Palm Beach v. Gradison*, 296 So. 2d 473 (Fla. 1974) that the Sunshine Act extends to include the inquiry and discussion stages of public meetings.

Federal law also contains provisions designed to promote public access to Board activities. Specifically §107(e) of WIOA provides:

(e) SUNSHINE PROVISION.—The local board shall make available to the public, on a regular basis through electronic means and open meetings, information regarding the activities of the local board, including information regarding the local plan prior to submission of the plan, and regarding membership, the designation and certification of one-stop operators, and the award of grants or contracts to eligible providers of youth workforce investment activities, and on request, minutes of formal meetings of the local board

Thus it would seem that the subject contract clause would also violate Federal law in that a member of the public, the excluded Board member, might be denied access to “information concerning [Board] open meetings [and], information regarding the activities of the local board.”

Further explanation of this provision is provided in 20 C.F.R. § 679.390 below:

**§ 679.390 How does the Local Workforce Development Board meet its requirement to conduct business in an open manner under the “sunshine provision” of the Workforce Innovation and Opportunity Act?**

The Local WDB must conduct its business in an open manner as required by WIOA sec. 107(e), by making available to the public, on a regular basis through electronic means and open meetings, information about the activities of the Local WDB. This includes:

- (a) Information about the Local Plan, or modification to the Local Plan, before submission of the plan;
- (b) List and affiliation of Local WDB members;
- (c) Selection of one-stop operators;
- (d) Award of grants or contracts to eligible training providers of workforce investment activities including providers of youth workforce investment activities;
- (e) Minutes of formal meetings of the Local WDB; and
- (f) Local WDB by-laws, consistent with § 679.310(g).

The exclusion of Board members from Board meetings could violate a number of the foregoing provisions of 20 C.F.R. § 679.390 , the most obvious of which is subsection (d), the “[a]ward of grants or contracts to eligible training providers of workforce investment activities including providers of youth workforce investment activities.”

From the foregoing it seems quite clear that, absent a specific statutory exemption, any contractual provision between two state agencies or between a state agency and any entity which by statute has been made subject to Chapters 119 and 286 can not limit the access of the public to meetings at any stage in the decision making process. To do so would constitute a prima facie violation of the Sunshine Law, the WIOA and the Code of Federal Regulations and such contractual provisions should be held void as against public policy. Anything less would fly in the face of logic and sound precedent.

3. Conclusion.

From the perspective of the CLM Board, although its members believe that laws

should be applied consistently and so as to achieve their stated purposes, if the Attorney General opines that it is lawful for the Board to exclude Board members from Board and subcommittee meetings when discussing and voting on matters for which the member has a conflict of interest and that such exclusion will not result in the imposition of a fine on CLM and if the Attorney General also opines that Board members will not face potential criminal liability for attending a Board meeting at which another Board member is excluded as the result of a conflict of interest and if the Attorney General opines that contracts entered into while following the requirements of the Agreement are not invalid as a result, then the Board is quite prepared to proceed based on that opinion. However, it is the Board's belief and position that the contractual provision under review clearly should be held void as a matter of public policy until such time as the legislature enacts a law creating an exception to deal with Regional Workforce Board member conflicts of interest.