



2021.06.09.A.1

Strategic Policy

Title:	Statewide Workforce Development Board Policymaking Authority and Delegation
Adopted:	06/09/2021
Effective:	06/09/2021

I. PURPOSE AND SCOPE

This policy clarifies the policymaking authority of CareerSource Florida, the state workforce development board, and the delegation of various policymaking roles. The state workforce development board establishes the administrative and operational role of the CareerSource Florida professional team and CareerSource Florida's administrative entity, the Florida Department of Economic Opportunity (DEO), in providing policy direction and guidance to the state's local workforce development boards (LWDBs) and other impacted parties.

II. BACKGROUND

Public Law 113-128, the federal Workforce Innovation and Opportunity Act (WIOA), describes the formation of state workforce development boards. 20 CFR, Section 679.160 authorizes state workforce development boards to hire staff to assist in carrying out the functions described in WIOA Section 101(d). These functions include the development, implementation and modification of the state workforce development plan and the review of statewide policies, statewide programs and recommendations on actions that should be taken by the state to align workforce development programs to support a comprehensive and streamlined workforce development system (20 CFR 679.130).

The CareerSource Florida Board of Directors serves as the principal workforce policy organization for the state as described in Chapter 445.004(2), Florida Statutes. The purpose of the state board is to establish and direct the vision for the state workforce system, known as the CareerSource Florida network, to align with strategic partners within workforce investment, education and economic development systems.

Consistent with the Amended Bylaws of CareerSource Florida, Section 4.11, the state workforce development board may "delegate the performance of any duties or the exercise of

any powers to such officers and agents as the board may from time to time, designate by resolution.” Pursuant to Chapter 445.004(13), “[The Department of Economic Opportunity] may consult with the state board to issue technical assistance letters on the operation of federal programs and the expenditure of federal funds by the state board or any local workforce development board. A technical assistance letter must be in writing, must be posted on the department’s website, and remains in effect until superseded or terminated. A technical assistance letter is not a rule of general applicability under s. 120.54 and is not a declaratory statement issued under s. 120.565 or an order issued under s. 120.569. Section 120.53 does not apply to technical assistance letters.”

Consistent with its agreement with the Department of Economic Opportunity, CareerSource Florida, Inc., the CareerSource Florida professional team, provides administrative support for the state workforce development board. As described in CareerSource Florida Strategic Policy 2020.06.04.A.2 – State Workforce Development Board Roles and Responsibilities, the CareerSource Florida professional team shall develop and coordinate, under the direction and guidance of the board, the strategic policy development and financial and programmatic direction of its vision for the state’s workforce system. The CareerSource Florida professional team assists in developing and implementing strategic and administrative policies.

The Department of Economic Opportunity serves as the fiscal and administrative entity for the programs outlined in Chapter 445.004(5)(b), Florida Statutes. DEO consults with the CareerSource Florida professional team to develop and implement strategic and administrative policies to local workforce development boards and workforce partners. This includes developing the Statewide Workforce Innovation and Opportunity Act Plan, policies, communiques, memoranda, guidance letters, reports and publications. DEO monitors compliance with the state workforce development board’s policies and the expenditure of federal funds by both the state workforce development board and local workforce development boards.

III. POLICIES AND PROCEDURES

A. Policy Development Framework

The governance structure of CareerSource Florida facilitates strategic planning. As the principal workforce policy organization for the state of Florida, CareerSource Florida, the state workforce development board is focused on strategic policy and aligning federal, state and local workforce development priorities. This policy delegates operational policymaking decisions to the CareerSource Florida professional team and CareerSource Florida’s administrative entity, the Department of Economic Opportunity.

The CareerSource Florida Board of Directors, the CareerSource Florida professional team and the Department of Economic Opportunity follow a comprehensive policy development framework designed to support the vision, mission, values, strategies and operation of the state’s workforce development system. The Policy Development Framework applies to the CareerSource Florida Board of Directors, the CareerSource Florida professional team and DEO and defines a best practice process for joint development and implementation of strategic and administrative policies as well as the documents that serve as alternatives to formal policies. Alternatives to formal strategic administrative policy and workforce guidance include communiques, memoranda, and programmatic resource guides that

provide information and guidance and are used to enhance and supplement the deployment of formal policies.

The Policy Development Framework (the Framework) differentiates between strategic and administrative policies and identifies best practices for developing and implementing these policies. The Framework describes how policies and alternatives to formal policies are developed, approved and implemented.

Strategic Policies

CareerSource Florida Board of Directors strategic policies include high-level principles or directional statements that inform or clarify federal or state legislative policy or workforce system strategies for the state of Florida. These policies direct statewide workforce efforts through a variety of means including but not limited to establishing standards or priorities for workforce delivery, directing workforce funding, and defining statewide strategic goals. Strategic policies set expectations and direct decision making at the state level and may result in the development of administrative policies by DEO and/or local policies by the local workforce development boards.

Strategic policies are presented to, approved and adopted by the state workforce development board.

Administrative Policies, Operational Guidance and Workforce Guidance¹

CareerSource Florida administrative policies and operational guidance are developed by the Department of Economic Opportunity Bureau of One Stop and Program Support in consultation with the CareerSource Florida professional team using best practices from the Policy Development Framework. Administrative policies and operational guidance include business rules, requirements, processes and responsibilities that expand, explain or further specify federal and state legislative policy as well as board approved strategic policy.

Administrative policies and operational guidance are developed and revised using best practices defined in the Policy Development Framework. Administrative policies and operational guidance are binding on the workforce system and are subject to audit and monitoring by DEO.

Administrative policies and operational guidance are reviewed by the CareerSource Florida professional team, which determines if these policies require approval by the state workforce development board. The state workforce development board is notified of all administrative policies issued.

Workforce guidance is information that explains a legislative, strategic or administrative policy. Guidance may include best practices, supporting information, recommendations, Technical Assistance Letters, memoranda, communiques, desk aids, resource guides and other resources. Workforce guidance is reviewed and issued by DEO and may include consultation with the CareerSource Florida professional team.

¹ Note: The term "guidance" is used synonymously by workforce system stakeholders to describe administrative policy, operational guidance and workforce guidance.

B. Criteria for State Workforce Development Board Approval

The following criteria is presented for determining what policies require the state workforce development board's approval.

State Workforce Development Board of Directors Approval Criteria:

- State Workforce Development Plans
- Strategic policies
- Administrative policies that govern the state workforce development board or the CareerSource Florida professional team
- Board led, state-level projects and initiatives
- New grant initiative policies
- Policies that include potential sanctioning measures and appeal protocols to local workforce development boards for non-compliance
- Policies involving procurements or contracts
- LWDB requirements that require state workforce development board approval
- Policies as determined by the CareerSource Florida professional team to be approved by the state workforce development board

The following criteria is presented for determining what policies do not require the state workforce development board's approval but do require consultation with the CareerSource Florida professional team and require that the state workforce development board be notified of new administrative policies or changes to existing guidance:

DEO-Issued Operational Guidance Criteria:

- Business rules, requirements and processes related to the implementation and operation of workforce programs and grants (operational, programmatic and financial)
- Compliance-related administrative policies and guidance that operationalize federal or state laws and regulations as well as board-approved strategic policies.
- Instructions or guidelines for workforce programs and grants
- Auditing/monitoring implications

The following criteria is presented for determining what workforce guidance may be issued by the Department of Economic Opportunity without the state workforce development board's approval:

Workforce Guidance Criteria That:

- Explains or clarifies a legislative, strategic or administrative policy, or operational guidance.
- Provides clarification regarding program or system requirements.
- Resource information that shares best practices, supporting information, recommendations, examples, etc.
- Time-sensitive communication that requires immediate communication and implementation by the LWDBs.

C. Periodic Review of CareerSource Florida Policies

The state workforce development board delegates that the CareerSource Florida professional team and the Department of Economic Opportunity shall consult to review strategic and administrative policies, and operational and workforce guidance. The CareerSource Florida professional team and the Department of Economic Opportunity shall determine policy effectiveness and efficiency and make recommendations to the CareerSource Florida Board of Directors for the revision or rescission of policies, as necessary.

For retention, strategic policies must focus on strategy or existing initiatives rather than operational aspects of workforce system oversight. Policies that are determined to be more operational in nature may be transferred to DEO for administration. Obsolete or ineffective policies may be eliminated by action or consent of the CareerSource Florida Board of Directors.

When significant changes are made to applicable legal standards, such as federal, state, or administrative law, DEO must determine if revisions are necessary to update existing policies. Administrative policies and operational guidance are reviewed by DEO and the CareerSource Florida professional team, which determines if revision or elimination of these policies require approval by the state workforce development board.

In some instances, when significant changes are made to federal or state law or guidance, it may be necessary for the CareerSource Florida professional team, in consultation with the Department of Economic Opportunity, to rescind an existing policy until action can be taken by the CareerSource Florida Board of Directors. The state workforce development board is notified of administrative policies that are scheduled for revision or elimination and the board is notified when revisions or elimination are complete.

IV. AUTHORITIES

[Public Law 113-128, The Workforce Innovation and Opportunity Act \(WIOA\)](#)

[Chapter 445.003 – 445.004, Florida Statutes](#)

[20 CFR Sections 679.100 - 130](#)

[CareerSource Florida Strategic Policy 2020.06.04.A.2 – State Workforce Development Board Roles and Responsibilities](#)

V. HISTORY

Date	Description
TBA	CareerSource Florida Strategic Policy — Statewide Workforce Development Board Policymaking Authority and Delegation Approved by CareerSource Florida Board of Directors.

VI. RESOURCES

[Strategic and Administrative Policy Development Framework²](#)

[Policy Development Summary](#)

² Note: This document is subject to change as CareerSource Florida and DEO adjust, streamline or refine the components of the framework.