

Florida Credentials Review Committee

December 6, 2023



Chair's Welcome and Remarks



Katie Crofoot

Director, REACH Office
Executive Office of the Governor

New Member Welcome



Mary Jane Brecklin

System Vice President of Human Resource
Operations, Health First

For Public Comment:

Please email Iesha Pompey
at ipompey@careersourceflorida.com

Government in the Sunshine

The Sunshine Law and Code of Ethics



George Levesque

Shareholder

Gray Robinson

THE SUNSHINE LAW

- ❑ The Sunshine Law is designed to ensure public access to the decision-making process of public boards and commissions, and expressly applies to CareerSource Florida. See § 445.004(1), Florida Statutes.

- ❑ Found in § 286.011, Florida Statutes.

- ❑ Basic requirements:
 1. Meetings of public boards or commissions must be open to the public;
 2. Reasonable notice of such meetings must be given;
 3. Minutes of the meetings must be taken; and
 4. The public must be given a reasonable opportunity to be heard on a proposition that comes before the Board.

WHAT IS A MEETING?

- Any formal or informal gathering of *two or more* members of the *same board* to discuss some matter which will *foreseeably* come before that board for action.
- A writing reflecting the views of a board member and circulated among board members with each indicating his or her approval or disapproval, and upon completion of the circulation, the writing has the effect of becoming an official action of the board.
- A telephone conversation among two or more board members.
- Communication via computer or any electronic device among two or more board members.

WHAT IS OPEN TO THE PUBLIC?

- ❑ CareerSource Florida should take reasonable steps to ensure that the facilities where the meeting will be held will accommodate the anticipated turnout.
- ❑ Board members should not discuss issues before the board in a manner not generally audible to the public attending the meeting.
- ❑ The public has a right to be present and to be heard at deliberations where decisions affecting the public are being made.

CONSEQUENCES FOR FAILURE TO COMPLY WITH THE SUNSHINE LAW

- Any action taken at a meeting not open to the public, whether intentional or unintentional, is void.
- Criminal penalties.
- Removal from office.
- Fines up to \$500.
- Award of reasonable attorney's fees against the entity found to have violated the Sunshine Law.

PUBLIC RECORDS

Florida provides a broad right of access to public records.

SOURCE OF THE RIGHT OF ACCESS

- Florida Constitution, Article I, Section 24:

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.

- Florida Statutes Section 119, Public Records:

It is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.

“PUBLIC RECORDS” DEFINED

- ❑ Florida Statutes Section 119.011(12) states:

‘Public records’ means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.

- ❑ Florida Supreme Court interpretation from *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So. 2d 633, 640 (Fla. 1980):

All materials made or received by an agency in connection with official business which are used to perpetuate, communicate, or formalize knowledge.

FORMS OF PUBLIC RECORDS

- ❑ All public records must be open for public inspection, regardless of whether they are in final form, unless the Legislature has exempted them for disclosure (exemptions are beyond the scope of this presentation).

- ❑ “[T]he form of the record is irrelevant; the material issue is whether the record is made or received by the public agency in connection with the transaction of official business.” Op. Att’y Gen. Fla. 04-33 (2004); Op. Att’y Gen. Fla. 03-26 (2003); Op. Att’y Gen. Fla. 90-102 (1990).

- ❑ Any agency document or record, however prepared, if circulated for review, comment, or information, is a public record regardless of whether it is an official expression of policy or marked “preliminary” or “working draft” or similar label.

FORMS OF PUBLIC RECORDS

- ❑ Includes interoffice memoranda, preliminary drafts of agency rules or proposals which have been submitted for review to anyone within or outside the agency, and working drafts of reports which have been furnished to a supervisor for review or approval.

- ❑ Examples of public records subject to the public records law absent an exception:
 - Computer records
 - Email messages
 - Text messages
 - Facebook messages
 - Financial records (including bids, budgets, personal financial records)
 - Litigation records
 - Personnel records

CONSEQUENCES FOR VIOLATION OF PUBLIC RECORDS LAW

- Non-criminal infraction punishable by fine of up to \$500
- Suspension and removal or impeachment from office
- A willful and knowing violation is a first-degree misdemeanor (Imprisonment up to one year and a fine up to \$1,000)
- Award of reasonable attorney's fees if found to unlawfully refuse inspection and copying of a public record.

ETHICS LAWS

Generally consists of two types of provisions:

- 1) Prohibiting certain actions or conduct
- 2) Requiring certain disclosures

Chapter 112, Part III, Florida Statutes

- ❑ APPLICABLE TO “PUBLIC OFFICERS”
 - Defined as “... any person elected or appointed to hold office in an agency, including any person serving on an advisory body.”
 - § 112.313(1), Florida Statutes

- ❑ INCLUDES:
 - Standards of Conduct - § 112.313, Florida Statutes
 - Financial Reporting - §§ 445.004(4)(i) and 112.3145, Florida Statutes
 - Gift Law and Lobbying Expenditure Ban - § 112.3148, Florida Statutes

- PROHIBITED ACTIONS OR CONDUCT
 - Solicitation or Acceptance of Gifts
 - * Cannot solicit or accept anything of value in exchange with the understanding of influence over a vote - § 112.313(2), Florida Statutes
 - * Cannot solicit and cannot accept anything over \$100 from a lobbyist or a principal - § 112.3148(3) and (4), Florida Statutes
 - * Must report anything of value over \$100 from anyone who is not family or someone that you intend to marry - § 112.3148(8), Florida Statutes
- PROHIBITED EMPLOYMENT - § 112.313(3), Florida Statutes
- UNAUTHORIZED COMPENSATION
 - For self, spouse or minor children - § 112.313(4), Florida Statutes
- MISUSE OF PUBLIC POSITION - § 112.313(6), Florida Statutes
- DISCLOSURE OR USE OF INFORMATION - § 112.313(8), Florida Statutes

VOTING CONFLICTS OF INTEREST

If you are present at the meeting you must vote on the official actions being taken. § 286.012, Florida Statutes

EXCEPTION:

If there is a possible conflict of interest, you must abstain and comply with disclosure requirements of § 112.3143, Florida Statutes

- Conflict = inure to your own special private gain or loss or the special private gain or loss of any principal (including parent or subsidiary of a principal), business associate, or relative
- Relative – father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law

CONSEQUENCES FOR FAILURE TO COMPLY WITH THE ETHICS LAW

- Reputational damage.
- Civil penalties.
- Criminal penalties.
- Removal from office.

Questions?

Please email Ethics Officer Christine Daye
at info@careersourceflorida.com

Appeals to Decisions of the Credentials Review Committee



Katie Crofoot

Director, REACH Office
Executive Office of the Governor

Appeals to the Decisions of the Credentials Review Committee

- Applicants have 15 days from notice of deficiency to appeal in writing to the President/CEO of CareerSource Florida.
- Appeals reviewed by interagency team including members from FloridaCommerce, Department of Education, and CareerSource Florida.
- CareerSource Florida Board of Directors considers the appeal at board meeting.

Appeals to the Decisions of the Credentials Review Committee

Credential	Issue	Status
Tosa Autodesk AutoCAD	CAPE Postsecondary Funding eligibility	Board approved appeal granting eligibility at Expert level.
Tosa Desktop Certified User for Google Workspace	Standard Occupation Classification Code linkage	Board denied appeal.
Tosa Desktop Certified User for Microsoft Office	Standard Occupation Classification Code linkage	Board denied appeal.
Tosa Java Script	CAPE Postsecondary Funding eligibility	Under further evaluation and will be considered at Dec. 12 meeting.
Tosa Python	CAPE Postsecondary Funding eligibility	Under further evaluation and will be considered at Dec. 12 meeting.
Tosa Web Developer	CAPE Postsecondary Funding eligibility	Under further evaluation and will be considered at Dec. 12 meeting.
Tosa Wordpress	CAPE Postsecondary Funding eligibility	Under further evaluation and will be considered at Dec. 12 meeting.
Tosa Graphics Certified User for Adobe - Graphic Design	CAPE Postsecondary Funding eligibility	Under further evaluation and will be considered at Dec. 12 meeting.

Consent Items

For Consideration

- Approval of September 6, 2023, Meeting Minutes, to include any modifications or changes noted by the board.

2023-2024 Master Credentials List Additions



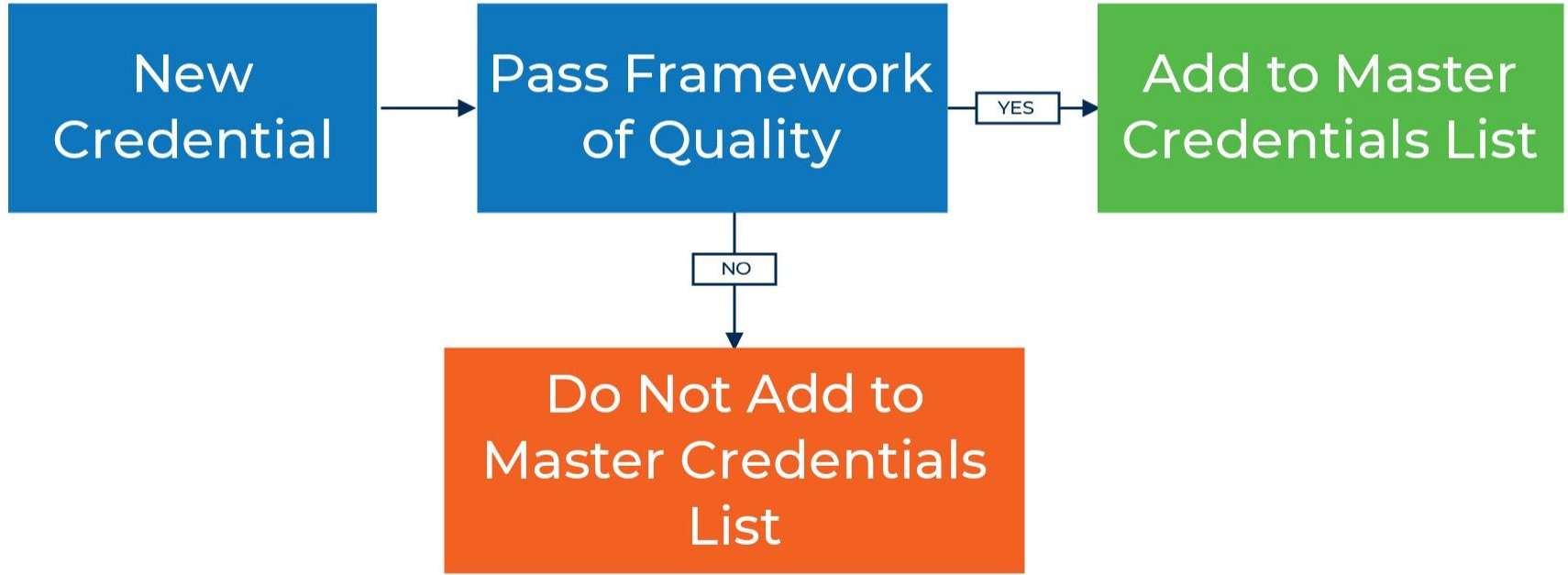
Dan McGrew

Senior Vice President
Workforce Program Development

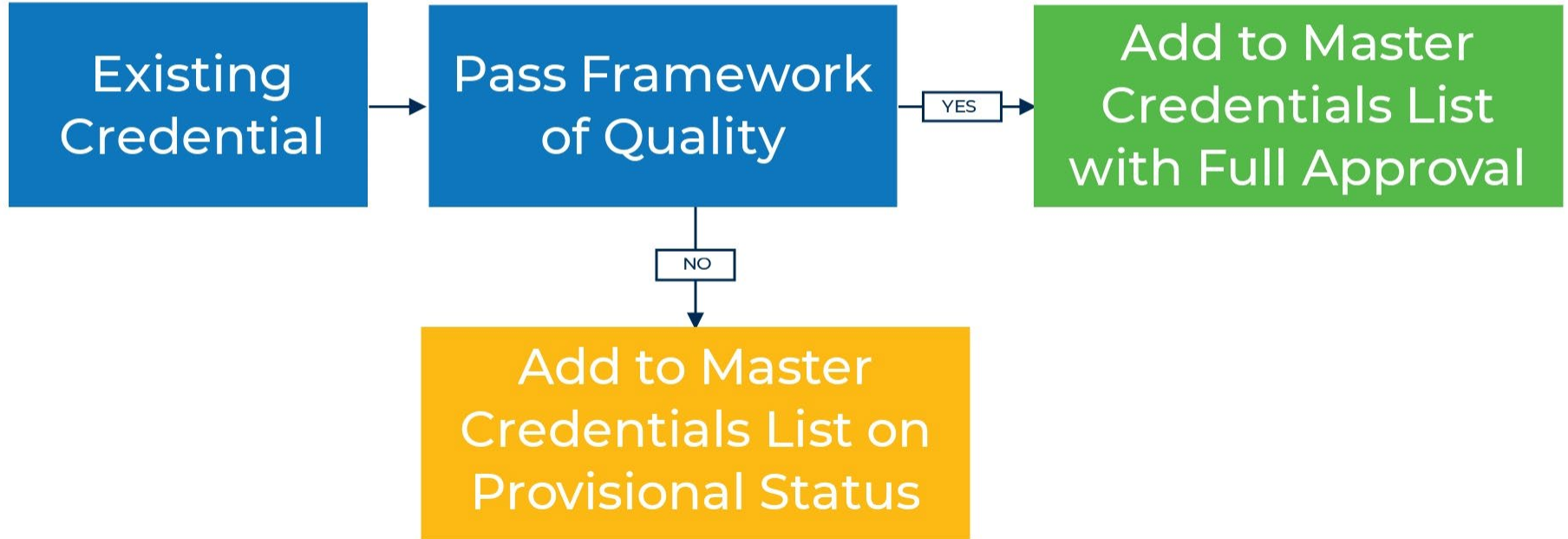
Summary of Evaluation

Credential Type	Total Evaluated	Passed Framework of Quality	Did Not Pass Framework of Quality
New Degree	1	0	1
New Non-degree	8	3	5
Existing Degree	1	1	0
Existing Non-degree	31	14	14 (3 unable to evaluate)

Recommendations for Addition



Recommendations for Addition



Action Item

For Consideration

- Approve the addition of 18 credentials of value to the 2023-2024 Master Credentials List with full approval and 14 additional credentials with provisional approval and send these recommendations to the CareerSource Florida Board of Directors for delivery to the State Board of Education.
- Approve technical revisions to the list by the Department of Education, as needed without adding or removing any credentials not explicitly described in this Action Item.

Addressing Emerging Demand



Dehryl McCall

Senior Director

Workforce Program Development

Addressing Emerging Demand



Rachel Ludwig

Moderator

Senior Director

Future of Work, Florida
Chamber Foundation



David Arnold, Ph.D.

Professor/Associate Chair,
Electrical and Computer
Engineering

University of Florida



Jesus Lebeña

Senior Vice President

MasTec Communications
Group



Mike Miller

Vice President of External
Affairs and Workforce
Integration

SPACE Florida



James Taylor

CEO

Florida Technology
Council

Evaluating Apprenticeships for Master Credentials List



Dan McGrew

Senior Vice President
Workforce Program Development

Evaluating Apprenticeships for Master Credentials List

2023-2024 Master Credentials List Summary

- Total Apprenticeships on Master Credentials List: 522
- Full Approval: 437
- Provisional for demand: 45
- Provisional for wage: 14
- Provisional for both: 26

Evaluating Apprenticeships for Master Credentials List

Proposed Changes

- **Registered apprenticeships meet demand if:**
 - Meet Framework of Quality demand criteria; **OR**
 - Meet local demand by having at least one registered apprentice in the last academic year; **OR**
 - Is a newly Registered Apprenticeship program in the last academic year; **OR**
 - Submit application for local demand and pass evaluation.

- **Registered Apprenticeships meet wage requirements if:**
 - Meet Framework of Quality wage criteria; **OR**
 - If the final wage in the wage sequence for the specific registered apprenticeship meets either the representative starting, average, or high-level wage thresholds for postsecondary non-degree award as published by the Labor Market Estimating Conference.

Evaluating Apprenticeships for Master Credentials List

Impact of Changes if Enacted:

	Total Number	Fully Approved	Remain Provisional
Provisional for demand	45	35	10
Provisional for wage	14	13	1
Provisional for both	26	8	18
Grand Total	85	56	29



Evaluating Apprenticeships for Master Credentials List

- **Implementation by February meeting**

Revisions to technical assistance documents on website.

Automatic ongoing evaluation as new apprenticeships are registered.

Summary of Applications Received in September



Jackie Barreiros

Senior Program Analyst
Workforce Program Development

Master Credentials List September Applications

- **37 credentials received from July 1 – September 30**
 - 35 credentials submitted through online application
 - Two credentials submitted to the Department of Agriculture and Consumer Services
- **All are industry certifications, with 27 seeking CAPE funding**
 - 14 seeking CAPE secondary funding
 - Six seeking CAPE postsecondary funding



Open Discussion and Public Comment

Closing Remarks



Katie Crofoot

Chair

Upcoming Meeting:

**February 21, 2024, 1:00 - 5:00 p.m.
Tallahassee, Betty Easley Center**