

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED                                         (Y/N)  
ADOPTED AS AMENDED                         (Y/N)  
ADOPTED W/O OBJECTION                     (Y/N)  
FAILED TO ADOPT                             (Y/N)  
WITHDRAWN                                    (Y/N)  
OTHER                                         

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1 Committee/Subcommittee hearing bill: Education & Employment  
2 Committee

3 Representative Yarborough offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove lines 596-898 and insert:

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

9 (a) The submission, review, and approval of local  
10 workforce plans.

11 (b) Initial and subsequent eligibility criteria, based on  
12 input from the state board, local workforce development boards,  
13 the Department of Education, and other stakeholders, for the  
14 Workforce Innovation and Opportunity Act eligible training  
15 provider list. This list directs training resources to programs  
16 leading to employment in high-demand and high-priority

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17 occupations that provide economic security, particularly those  
18 occupations facing a shortage of skilled workers. A training  
19 provider who offers training to obtain a credential on the  
20 Master Credentials List under s. 445.004(4) (h), may not be  
21 included on a state or local eligible training provider list if  
22 the provider fails to submit the required information or fails  
23 to meet initial or subsequent eligibility criteria. Subsequent  
24 eligibility criteria must use performance and outcome measures,  
25 defined and reported under s. 1008.40, to determine whether each  
26 program offered by a training provider is qualified to remain on  
27 the list.

28 1. For the 2021-2022 program year, the Department of  
29 Economic Opportunity and the Department of Education shall set  
30 minimum criteria a training provider program must achieve for  
31 completion, earnings, and employment rates of eligible  
32 participants. The minimum program criteria must not exceed the  
33 threshold at which more than 20 percent of all eligible training  
34 provider programs in the state would fall below.

35 2. Beginning with the 2022-2023 program year, each program  
36 offered by a training provider must, at a minimum, have:

37 a. Income earnings for all individuals who complete the  
38 program that are equivalent to or above the state's minimum wage  
39 in a calendar quarter;

40 b. An employment rate of at least 75 percent for all  
41 individuals. For programs linked to an occupation, the

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42 employment rate is calculated based on obtaining employment in  
43 the field in which the participant was trained; and

44 c. A completion rate of at least 75 percent for all  
45 individuals, beginning with the 2023-2024 program year.

46 (c) Monitoring compliance of programs authorized by this  
47 chapter and determining whether such programs are meeting  
48 performance expectations, including an analysis of the return on  
49 investment of workforce related programs on individual  
50 employment, earnings, and public benefit usage outcomes and a  
51 cost-benefit analysis of the monetary impacts of workforce  
52 services from the participant and taxpayer points of view.

53 Section 6. Paragraph (d) of subsection (3), paragraphs (b)  
54 and (e) of subsection (5) and subsections (6), (7), and (8),  
55 paragraph (b) of subsection (9), and subsection (11) of section  
56 445.004, Florida Statutes, are amended, and paragraph (h) is  
57 added to subsection (4), to read:

58 445.004 CareerSource Florida, Inc., and the state board;  
59 creation; purpose; membership; duties and powers.—

60 (3)

61 (d) The state board must include the vice chairperson of  
62 the board of directors of Enterprise Florida, Inc., and one  
63 member representing each of the Workforce Innovation and  
64 Opportunity Act partners, including the Division of Career and  
65 Adult Education, the Division of Vocational Rehabilitation, the  
66 Division of Blind Services, the Department of Children and

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67 Families, and other entities representing programs identified in  
68 the Workforce Innovation and Opportunity Act, as determined  
69 necessary.

70 (4)

71 (h)1. The state board shall appoint a Credentials Review  
72 Committee to identify nondegree credentials and degree  
73 credentials of value for approval by the state board and  
74 inclusion in the Master Credentials List. Such credentials must  
75 include registered apprenticeship programs, industry  
76 certifications, licenses, advanced technical certificates,  
77 college credit certificates, career certificates, applied  
78 technology diplomas, associate degrees, baccalaureate degrees,  
79 and graduate degrees. The Credentials Review Committee must  
80 include:

81 a. The Chancellor of the Division of Public Schools.

82 b. The Chancellor of the Division of Career and Adult  
83 Education.

84 c. The Chancellor of the Florida College System.

85 d. The Chancellor of the State University System.

86 e. Two members from nonpublic postsecondary institutions.

87 f. Two members from industry associations.

88 g. Two members from Florida-based businesses.

89 h. Two members from the Department of Economic

90 Opportunity.

91 i. One member from the Department of Agriculture and

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92 Consumer Services.

93 j. The director of the Office of Reimagining Education and  
94 Career Help.

95 k. Four members from local workforce development boards,  
96 with equal representation from urban and rural regions.

97 2. All information pertaining to the Credentials Review  
98 Committee, the process for the approval of credentials of value,  
99 and the Master Credentials List must be made available and be  
100 easily accessible to the public on all relevant state agency  
101 websites.

102 3. The Credentials Review Committee shall establish a  
103 definition for credentials of value and create a framework of  
104 quality. The framework must align with federally funded  
105 workforce accountability requirements and undergo biennial  
106 review.

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

109 a. Evidence that the credential meets labor market demand  
110 as identified by the Labor Market Estimating Conference created  
111 in s. 216.136 or meets local demand as identified in the  
112 criteria adopted by the Credentials Review Committee. Evidence  
113 must include employer information on present credential use or  
114 emerging opportunities.

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

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117 c. Evidence of the employment and earnings outcomes for  
118 individuals after obtaining the credential. Earnings outcomes  
119 must provide middle-level to high-level wages with preference  
120 given to credentials generating high-level wages. Credentials  
121 that do not meet the earnings outcomes criteria must be part of  
122 a sequence of credentials required for the next level occupation  
123 that does meet the earnings outcomes criteria to be identified  
124 as a credential of value. For new credentials, this criteria may  
125 be met with conditional eligibility until measurable labor  
126 market outcomes are obtained.

127 5. The Credentials Review Committee shall establish the  
128 criteria to determine value for degree programs. This criteria  
129 shall include evidence that the program meets the labor market  
130 demand as identified by the Labor Market Estimating Conference  
131 created in s. 216.136 or meets local demand as determined by the  
132 committee. Such criteria must be used to designate programs of  
133 emphasis under s. 1001.706 and to guide the development of  
134 program standards and benchmarks under s. 1004.92.

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

138 7. The Credentials Review Committee shall establish a  
139 process for:

140 a. At a minimum, quarterly review and approval of  
141 credential applications. Approved credentials of value shall be

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142 used by the committee to develop the Master Credentials List.

143 b. Annual review of the Master Credentials List.

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

146 d. Designating performance funding eligibility under ss.  
147 1011.80 and 1011.81, based upon the highest available  
148 certification for postsecondary students.

149 e. Beginning with the 2022-2023 school year, the state  
150 board shall submit the Master Credentials List to the State  
151 Board of Education. The list must, at a minimum, identify  
152 nondegree credentials and degree programs determined to be of  
153 value for purposes of ss. 1008.44 and 1011.62(1); if the  
154 credential or degree program meets statewide, regional, or local  
155 level demand; the type of certificate, credential, or degree;  
156 and the primary standard occupation classification code. For the  
157 2021-2022 school year, the Master Credentials List shall be  
158 comprised of the CAPE Industry Certification Funding List and  
159 the CAPE Postsecondary Industry Certification Funding List under  
160 ss. 1008.44 and 1011.62(1) and adopted by the State Board of  
161 Education before October 1, 2021.

162 8. The Credentials Review Committee shall establish a  
163 process for linking Classifications of Instructional Programs  
164 (CIP) to Standard Occupational Classifications (SOC) for all new  
165 credentials of value identified on the Master Credentials List.  
166 The CIP code aligns instructional programs to occupations. A CIP

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167 to SOC link indicates that programs classified in the CIP code  
168 category prepare individuals for jobs classified in the SOC code  
169 category. The state board shall submit approved CIP to SOC  
170 linkages to the State board of Education with each credential  
171 that is added to the Master Credentials List.

172 9. The Credentials Review Committee shall identify all  
173 data elements necessary to collect information on credentials by  
174 the Florida Education and Training Placement Program automated  
175 system under s. 1008.39.

176 10. The Credentials Review Committee shall develop a  
177 returned-value funding formula as provided under ss.  
178 1011.80(7)(b) and 1011.81(2)(b). When establishing the formula,  
179 the Committee shall not penalize school districts or  
180 institutions for students who postpone employment to continue  
181 their education.

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

188 (b) Providing policy direction to ensure that the  
189 following programs are administered by the department consistent  
190 with approved plans:

191 1. Programs authorized under Title I of the Workforce



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192 Innovation and Opportunity Act, Pub. L. No. 113-128, with the  
193 exception of programs funded directly by the United States  
194 Department of Labor under Title I, s. 167.

195 2. Programs authorized under the Wagner-Peyser Act of  
196 1933, as amended, 29 U.S.C. ss. 49 et seq.

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

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

202 5. Employment and training activities carried out under  
203 funds awarded to this state by the United States Department of  
204 Housing and Urban Development.

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

210 7. The Florida Bonding Program, provided under Pub. L. No.  
211 97-300, s. 164(a)(1).

212 8. The Food Assistance Employment and Training Program,  
213 provided under the Food and Nutrition Act of 2008, 7 U.S.C. ss.  
214 2011-2032; the Food Security Act of 1988, Pub. L. No. 99-198;  
215 the Hunger Prevention Act, Pub. L. No. 100-435; and the  
216 Agriculture Improvement Act of 2018, Pub. L. No. 115-334.

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217 9. The Quick-Response Training Program, provided under ss.  
218 288.046-288.047. Matching funds and in-kind contributions that  
219 are provided by clients of the Quick-Response Training Program  
220 count toward the requirements of s. 288.904, pertaining to the  
221 return on investment from activities of Enterprise Florida, Inc.

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

225 11. Offender placement services, provided under ss.  
226 944.707-944.708.

227  
228 ~~The department may adopt rules necessary to administer this~~  
229 ~~chapter which relate to implementing and administering the~~  
230 ~~programs listed in this paragraph as well as rules related to~~  
231 ~~eligible training providers and auditing and monitoring~~  
232 ~~subrecipients of the workforce system grant funds.~~

233 (e) Ensuring that the state does not waste valuable  
234 training resources. The state board's policy is that all  
235 resources, including equipment purchased for training Workforce  
236 Innovation and Opportunity Act clients, be available for use at  
237 all times by eligible populations as first priority users. At  
238 times when eligible populations are not available, such  
239 resources shall be used for any other state-authorized education  
240 and training purpose. The state board and any of its committees,  
241 councils, or administrative entities may authorize expenditures

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242 to award suitable framed certificates, pins, or other tokens of  
243 recognition for performance by a local workforce development  
244 board, its committees and subdivisions, and other units of the  
245 workforce system. The state board may also authorize  
246 expenditures for promotional items, such as t-shirts, hats, or  
247 pens printed with messages promoting the state's workforce  
248 system to employers, job seekers, and program participants.  
249 However, such expenditures are subject to federal regulations  
250 applicable to the expenditure of federal funds.

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

254 (a) Creating a state employment, education, and training  
255 policy that ensures workforce related programs ~~that programs to~~  
256 ~~prepare workers~~ are responsive to present and future business  
257 and industry needs and complement the initiatives of Enterprise  
258 Florida, Inc.

259 (b) Establishing policy direction for a uniform funding  
260 system that prioritizes evidence-based, results-driven solutions  
261 by providing ~~provides~~ incentives to improve the outcomes of  
262 career education, registered apprenticeship, and work-based  
263 learning programs and that focuses resources on occupations  
264 related to new or emerging industries that add greatly to the  
265 value of the state's economy.

266 (c) Establishing a comprehensive policy related to the

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267 education and training of target populations such as those who  
268 have disabilities, are economically disadvantaged, receive  
269 public assistance, are not proficient in English, or are  
270 dislocated workers. This approach should ensure the effective  
271 use of federal, state, local, and private resources in reducing  
272 the need for public assistance by combining two or more sources  
273 of funding to support workforce related programs or activities  
274 for vulnerable populations.

275 (d) Identifying barriers to coordination and alignment  
276 among workforce related programs and activities and developing  
277 solutions to remove such barriers.

278 (e) Maintaining a Master Credentials List that:

279 1. Serves as a public and transparent inventory of state-  
280 approved credentials of value.

281 2. Directs the use of federal and state funds for  
282 workforce education and training programs that lead to approved  
283 credentials of value.

284 3. Guides workforce education and training programs by  
285 informing the public of the credentials that have value in the  
286 current or future job market.

287 ~~(d) Designating Institutes of Applied Technology composed~~  
288 ~~of public and private postsecondary institutions working~~  
289 ~~together with business and industry to ensure that career~~  
290 ~~education programs use the most advanced technology and~~  
291 ~~instructional methods available and respond to the changing~~

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292 ~~needs of business and industry.~~

293 ~~(e) Providing policy direction for a system to project and~~  
294 ~~evaluate labor market supply and demand using the results of the~~  
295 ~~Workforce Estimating Conference created in s. 216.136 and the~~  
296 ~~career education performance standards identified under s.~~  
297 ~~1008.43.~~

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

302 ~~(g) Expanding the occupations identified by the Workforce~~  
303 ~~Estimating Conference to meet needs created by local emergencies~~  
304 ~~or plant closings or to capture occupations within emerging~~  
305 ~~industries.~~

306 (7) By December 1 of each year, the state board, in  
307 consultation with the department, shall submit to the Governor,  
308 the President of the Senate, the Speaker of the House of  
309 Representatives, the Senate Minority Leader, and the House  
310 Minority Leader a complete and detailed annual report setting  
311 forth:

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

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

316 (c) The number of mandatory partners located within one-

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317 stop centers.

318 (d) The progress on implementing solutions to address  
319 barriers to coordination and alignment among programs and  
320 activities identified under paragraph (6) (d).

321 (8) Annually, beginning July 1, 2022, the state board  
322 shall assign and make public a letter grade for each local  
323 workforce development board using the criteria established by  
324 the Office of Reimagining Education and Career Help under s.

325 14.36 Pursuant to

326

327

328 **T I T L E A M E N D M E N T**

329 Remove line 30 and insert:

330 Opportunity Act; providing an effective date; amending s.

331 445.004, F.S.; revising