

State Apprenticeship Advisory Council (SAAC) Meeting Minutes

June 14, 2022, at 9:00 a.m. (Eastern Standard Time)

Marchman Technical College

New Port Richey, FL

Meeting was called to order by chairperson-designee, Dr. Kevin O'Farrell, Chancellor, Division of Career and Adult Education, Florida Department of Education (FDOE). The Council Members and attendees were welcomed, the Pledge of Allegiance was recited, and roll call was taken. Present at the meeting were Dr. Kevin O'Farrell, Kathleen Taylor, Kathryn Wheeler, Kirk Barras, David McCraw, Lee Middleton, Natasha Sherwood, a designee representing Steve Cona III, Marcelo Dossantos, the Honorable Kathryn Starkey, Dr. Eric Kennedy. A quorum was present.

Dr. O'Farrell delivered opening remarks to the council. Council members were introduced, and they gave their backgrounds.

Bill Kraus from USDOL welcomed new and existing members of SAAC, gave a history and definition of apprenticeship and an update including the following:

- There are 9 million unfilled jobs across the United States. In Florida there are 600,00 unfilled jobs with 523,000 unemployed.
- Florida is the 15th largest economy in world, soon to be the 10th. Are we ready? There is a skill gap.
- Enhance the apprenticeship opportunities.
 - Work with companies.
 - Trucking challenge.
 - Accelerators.
 - Ensure the schools are aligned to workforce needs. More flexibility now than years ago.
 - Everyone appointed to be an ambassador of apprenticeship.
 - FDOE will supply anything you need to help speak to others regarding apprenticeship.
 - Expand horizons. Cyber security, health care, phlebotomy, advanced manufacturing, mechatronics, transportation... The only limit to what can be apprenticed is your imagination.
- Partnership between the Feds and the State is solid. We need to keep expanding what we do. Feds provide funding through grants or contracts to schools, associations and so on.
- More opportunities are coming. State has made investments in job creation, systems design, and incentives.
- Governor is encouraging all members of his cabinet to work together for the betterment of our economy, betterment of our employers, and ensuring the apprentice program is solid. We have a 91% retention rate in apprenticeship.
- Get employers more involved in apprenticeship boards.
- State apprenticeship staff is great, can't say enough good things.
- 4 ways - integrity, credibility, adaptability, diversity equity inclusion and accessibility.

- Now trying to do - new regulations dealing with increasing the diversity in the workforce. People with disabilities have been excluded in the past. USDOL is now working with the states to open up that door. Outreach is huge. This is a team project. One person doing it does not work. We need to have members of the SAAC, federal government, state & FDOE, FDOL and other state entities to come together to solve this. School districts, school boards, local leaders, military bases. Needs to happen collectively.
- Parents need to understand that working the trades is an acceptable option. College is not the only option.

Jamie Braun, Assistant General Counsel, Office of the General Counsel, to review Florida Sunshine Law and Public Records overview.

Sunshine Law is Florida's "Open Meetings Law", that protects the public from "closed door" decision making and provides a right of access to meetings of boards and commissions. Codified in Chapter 286, F.S., the Sunshine Law applies to all meetings of "any board or commission of any state agency or authority." Examples: State Board of Education, Local School Board, State College Board of Trustee, also applies equality to elected or appointed boards or commissions. Four key requirements:

1. Meetings of a public board or commission must be open to the public.
2. Minutes of the meeting must be recorded.
3. Public must be given reasonable notice that such meetings are going to occur.
4. Public must be given a reasonable opportunity to be heard on the matters being considered at the meeting.

Anyone wanting to know more may access the Sunshine Manual at www.myfloridalegal.com.

- A meeting is defined very, very broadly. The Sunshine Law applies to all discussions or deliberations, as well as the formal action taken by a board or commission. It applies to any gathering, whether formal or casual, of two or more members of the same board or commission to discuss some matter on which foreseeable action will be taken by the public board or commission. A quorum is not required.
- Meetings can also include telephone conversations, virtual meetings (Zoom, GoToMeeting, etc.), text conversations, emails, Microsoft Teams Chat or other Instant Messaging. Members of a public board or commission are not prohibited under the Sunshine Law from meeting together socially, provided that matters which may come before the board or commission are not discussed at such gatherings.
- Meetings cannot be held in a facility that discriminates or unreasonably restricts access (i.e., facilities that cost money to attend, or facilities not easily accessible by persons with disabilities). If a large turnout is expected, the Attorney General's Office recommends that public boards and commissions take reasonable steps to accommodate those who wish to attend. Technology to accommodate overflow is acceptable.
- There are a limited number of exemptions which would allow a public agency to close a meeting. Examples include certain discussions with the board's attorney over pending litigation, portions of collective bargaining sessions, portions of meeting that would relevel security or fire safety systems for public property. In addition, portions of meetings of some agencies may be closed when making probable cause determinations or considering confidential records.

- Meetings require minutes to be recorded. Section 286.011(2), F.S., requires that minutes of a meeting of a public board or commission be promptly recorded and open to public inspection. Also applies to workshop meetings. Minutes means a brief summary or series of notes or memoranda reflecting the events of the meeting. Verbatim transcript is not required. Video or audio recording is not sufficient. The Sunshine Law requires written minutes even if there is a recording of a meeting.
- Reasonable notice of the meeting is required. Type and content of the notice can vary depending on each particular situation. Notice should contain the time and place of the meeting and if available, the agenda. The notice should be prominently displayed in the area in the agency's offices set aside for that purpose. Except in the case of emergency or special meeting, notice should be provided at least 7 days prior to the meeting. The use of press releases, faxes, emails, and/or phone calls to the local news media is highly effective in providing notice of upcoming meetings.
- Section 286.0114, F.S., requires that members of the public be given a reasonable opportunity to be heard on a proposition before a board or commission.
- Consequences for Violating Sunshine Law can be suspension or removal from office, monetary fines, attorneys' fees, civil actions for injunctive and declaratory relief. Criminal penalties – a knowing violation of the Sunshine Law is misdemeanor of the second degree and a person convicted of a second-degree misdemeanor may be sentenced to a term of imprisonment not to exceed 60 days and/or fined up to \$500.
- Florida's Public Records Law, codified in Chapter 119, Florida Statutes, creates a broad and public right of access to records made or received in connection with official business of a public body. Florida Supreme Court has interpreted Chapter 119 to encompass all materials made, sent or received by an agency in connection with the conduct of its official business, which are or may be used to perpetuate, communicate, or formalize knowledge. Not all records must be disclosed. "Confidential" means that a document or information MUST NOT be released to ANYONE, unless that person has a specific legal right to access. "Exempt" means that a document or information is NOT REQUIRED to be disclosed in response to a public records request.
- Documents that may be protected from disclosure: education records, voluntary Prekindergarten (VPK) student records, Office of Professional Practices Services (PPS) investigation records, certification examinations, Florida Standards Assessment (FSA) records, certain portions of personnel records, Client records for Vocational Rehabilitation or Blind Services.
- Any Florida governmental entity, be it state or local, must preserve and make available, upon request, public records. In some instances, non-governmental entities must also maintain their records in the same manner. Contractors who act on behalf of public agencies are required to comply with Florida public records laws. Section 119.0701, Florida Statutes.

Practical duties of public records compliance:

- Don't destroy public records. All public records have a retention schedule set by state statute. Section 257.36(6), F.S.
- Don't use private media – i.e., text messages or personal email to conduct state business.

- Don't use your work email for personal communications. Remember that emails are subject to public records requests. Don't write an email that you would not want on the front page of the local newspaper.
- Consequences for violating public records law: civil actions for injunctive and declaratory relief; writ of mandamus – ordering officials to comply; attorney's fees and costs; noncriminal violation may result in fine up to \$500, criminal penalties – a knowing violation of the Public Records Law is a first-degree misdemeanor – may be sentenced to a term of imprisonment not to exceed 1 year and/or fined up to \$1000.

Tara Goodman, Vice Chancellor, Florida Department of Education, gave an overview on New Apprenticeship Accountability Measures.

Apprenticeship Statutory changes:

- 446.032 added that the department must collect data necessary to determine program performance consistent with state and federal law. Also, retention and completion rates of participants disaggregated by training provider, program, and occupation. And wage progression of participants as demonstrated by starting, exit, and postapprenticeship wages at 1 and 5 years after participants exit the program.
- 1011.802 added retention, completion, and employment rates, categorized by program and provided. And starting and ending salaries, as categorized by program and provider, for participants who complete the program.
- Amendment to Rule 6A-23.011. Most changes were made in (3). Ms. Goodman reviewed retention rate calculation, the completion rate calculation, and wage progression calculation.
- Actions to implement these changes were reviewed. The focus has been on retention and wage progression metrics.

In-Depth Study on Florida's Apprenticeship System by Edgar Padilla Ernst & Young (EY), LLP.

- Project summary: Collaboration between CareerSource Florida, FDOE, and the FLDEO; Will ultimately inform renewed strategy for RAP growth, engagement and success; and project included research, benchmarking, stakeholder engagement, and assessment of current RAP registration & management in Florida.
- Project Timeline: Commenced May 2022, projected completion September-October 2022; Initial interviews complete; Research and benchmarking in progress; Assessing current processes, standards, employer and sponsor interface, and interagency coordination.
- Held interviews and focus groups with State Apprenticeship Directors, FDOE Apprenticeship Training Representatives, CSF Navigators, Industry, Union and Trade Associations, RTI providers, Public and Private, and Apprentices.
- Benchmarking & Leading Practices were reviewed touching on understanding OA vs SAA designation and implications, public sites and functionality, utilization of RAPIDS and registration process, engagement practices and trends, and success rates with RAP.

Director's Report was given by Kathryn Wheeler, Director of Apprenticeship.

- Registered apprenticeship works across industries, healthcare, manufacturing, construction, hospitality & transportation, trade & logistics, information technology, and energy. So many opportunities for job training to be offered. Apprenticeship is part of a career pathway.
- Currently there are 267 active apprenticeship programs and 49 active preapprenticeship programs in the state.
- Outreach and recruitment efforts are ongoing. Attending local college and career fairs, targeted events for veterans, women, minorities and persons with disabilities, industry accelerator events for key economic sectors.
- Federal grant support comes from the Apprenticeship State Expansion (USDOL) \$3 million awarded for the period July 1, 2019 – June 30, 2022, and the Building State Capacity to Expand Apprenticeship through Innovation Grant (USDOL) \$450,000 awarded for the period July 1, 2020 – June 30, 2023.
- Pathways to Career Opportunity Grant (PCOG) aims to create an alternative pathway to in-demand, high paying jobs through an apprenticeship or preapprenticeship training program outside of the traditional four-year college degree path. PCOG is a priority of Governor DeSantis's goal of making Florida the number one state in the nation for workforce education by 2030.

Dr. Byron Clayton of CareerSource Tampa Bay spoke on CareerSource Florida Resources for Successful Apprenticeships.

- Have not done much with apprenticeship in the past but are laying the groundwork to do more in the near future.
- Created an apprenticeship navigator position, Mario Rodriguez.
- Made sure we are prioritizing apprenticeships and made a list of specific apprenticeship programs they are working on.
- Create special relationships with each of the sponsors to really work together expanding employer engagement and enrollment.
- Creating a Career Pathways Florida portal to allow people to occupation search and find information for that occupation that is local.
- Modifying policies to make them more apprenticeship friendly.
- Lastly, the city of Tampa has a Mayors Workforce Council, that Dr. Clayton is on, and just started to host an apprenticeship committee, the role is taking a dual approach to increase employer engagement in investment in apprenticeship and to increase job seeker awareness of apprenticeship options.

Tiffany Vause, Director of Strategic Initiatives, spoke about Florida Ready to Work.

- Soft skills are needed, these skills include communication, critical thinking and problem solving.
- Florida Ready to Work is a State-sponsored online career readiness training and credentialing solution. It targets the essential soft skills and foundational employability skills most in-demand and necessary to take the next step toward apprenticeship, technical training/certification and employment across industry sectors. It is delivered online in partnership with high schools, apprenticeship programs, state colleges, technical schools, workforce system and directly by employers.

- It is state funded, no direct cost to implementation partners, employers or students/jobseekers. Free!

Action Item. Last SAAC meeting minutes were approved by all council members.

Public Comment Period.

Paul Micklow, AmeriKey Locksmith, thank council for giving them the opportunity to have a locksmith apprenticeship.

Chancellor O'Farrell adjourned the meeting.