

**Florida Department of Commerce (FloridaCommerce)
Workforce Innovation and Opportunity Act (WIOA) Regional Planning Area Identification and Requirements – Consultation Matrix**

<u>Policy Section</u>	<u>Stakeholder Comment</u>	<u>Submitted by</u>	<u>Policy Language Change</u>	<u>FloridaCommerce Comments</u>	<u>Authority</u>
General Comment	Recommend sending Administrative Policy for consultative review in Microsoft Word format as to allow the easiest method for providing feedback and comments throughout. Sending in PDF promotes the appearance of a finalized document.	LWDB 21	No	Thank you for your feedback.	N/A
General Comment	The policy goes back and forth between the term local area and LWDB. Recommend the terms be added to section V. DEFINITIONS if there is a distinction between the two. If not, recommend that the policy use the term LWDB for consistency and clarity.	LWDB 21	Yes	The definition section of the policy has been updated.	Public Law 113-128
Section I. Purpose and Scope	This section reads: “The purpose of this policy is to outline the process for identifying regional planning areas (planning regions) for groups of two or more local workforce development areas (local areas) under the Workforce Innovation and Opportunity Act (WIOA).” However, the policy contains guidance related to not only the identification of regional planning areas, but also the requirements of the regional planning areas, once identified. Recommend revising this section, as well as the title, to include the full scope of the policy’s contents.	LWDB 21	Yes	The title and purpose of the policy have been updated.	N/A
Section II. Background	The local workforce development boards should be capitalized as it proceeds an acronym (LWDBs), same for chief local elected officials (CLEOs). Recommend that when FloridaCommerce writes out the full form and then includes the acronym in parentheses, follow the general rule of capitalization in the full form. This is in alignment with previously published policies from FloridaCommerce.	LWDB 21	No	N/A	N/A
Section IV. A. Requirements for Identifying Planning Regions	Recommend rewording the second line of the opening paragraph to: “Two (2) or more LWDBs may request to be identified as a planning region...”	LWDB 21	Yes	The policy language has been updated.	20 CFR 679.210

Section IV. A. Requirements for Identifying Planning Regions	Where at FloridaCommerce do we send the Request for Regional Planning Area Identification and supporting documentation to? Recommend include an email address for submission (e.g., LWDBGovernance@commerce.fl.gov)	LWDB 21	Yes	The policy language has been updated to include an email address.	N/A
Section IV. A. Requirements for Identifying Planning Regions	Lack of an established response time from FloridaCommerce: The policy reads: “FloridaCommerce will make a recommendation for the state workforce development board’s (state board) consideration on whether to approve the LWDBs’ request to be identified as a planning region.” Recommend a standard response time is provided within the policy (e.g., “If all documentation is complete and accurate, FloridaCommerce will provide a recommendation to the (state board) within 30 days of receipt of the request”).	LWDB 21	No	Section IV.D. of the policy indicates that review and consideration will take place at the next reasonably available meeting of the state board.	N/A
Section IV. A. Requirements for Identifying Planning Regions	Training and Employment Notice No. 21-16 requires that Governors issue a policy, per WIOA Section 106(c)(2), to Local Boards and CEOs within a planning region for submission of the Regional and Local Plans. The policy must include a deadline for submission of the plan(s). Importantly, the Local Board must make the Local Plan available for a public comment period of no more than 30 days and the Local Board must submit any comments that express disagreement to the Governor along with the Local Plan. Recommend modifying the policy to include the required deadline date and public comment guideline in accordance with federal guidance.	LWDB 21	No	The requested change is outside of the scope of this policy. As referenced in section IV.C. of the policy, regional planning instructions will be issued by CareerSource Florida in coordination with FloridaCommerce. The regional planning instructions will serve as the policy for the submission of these plans, inclusive of deadlines for submission.	N/A
Section IV. A. 4. The request must contain the signature of all the CLEOs of the units of local government that will make up the planning region in order to demonstrate that the request is the consensus of all the units of local government involved.	Is requiring the signature of the CLEOs of all regions involved really necessary? They are approving the four-year plans so won’t they be quasi-approving them through this approval process?	LWDB 14	No	Requests to be identified as a planning region may be received at any time. Therefore, such requests may not always coincide with the submission of four-year plans.	N/A

Section IV. B. 2.a. Consistent eligibility standards and enrollment processes.	Consistent eligibility standards for formula funds are already in place if we are all following WIOA guidance. However, enrollment processes can vary from region to region based on customer need, funding available and staffing available.	LWDB 16	No	This language aligns with state strategic policy.	CareerSource Florida Strategic Policy 2023.09.19.A.1
Section IV. B. 2.b. Common training and coordination of supportive service offerings.	While there may be some training in common, each region has its own special needs and shouldn't be restricted to common training. I think all ETPLs and RDOL should be combined so that every region has the ability to train someone in another area even if it's not in the area's RDOL.	LWDB 16	No	This language aligns with federal regulations and state strategic policy.	20 CFR 679.510 CareerSource Florida Strategic Policy 2023.09.19.A.1
Section IV. B. 2.b. Common training and coordination of supportive service offerings	The policy reads: <i>“Establishment of regional service strategies using cooperative service delivery agreements that include but are not limited to: b. Common training and coordination of supportive service offerings.”</i> TEG 19-16 states: <i>“A key principle in WIOA is to provide local areas with the authority to make policy and administrative decisions, and the flexibility to tailor the workforce system to the needs of the local community. To ensure maximum flexibility, this guidance provides local areas the discretion to provide the supportive services they deem appropriate, subject to WIOA’s limitations.”</i> To ensure the key principle of WIOA is not subverted, it is recommended that the term “as appropriate” be added to the end of the sentence in IV.B.2.b. By leaving the sentence as is, it opens the interpretation that supportive services should be established regionally. Additionally, WIOA funding is formula allocated to serve the community the formula is derived from. By coordinating these services, we risk resource allocation being drawn away from the intended communities derived from the formula allocation.	LWDB 21	Yes	The policy language was updated.	20 CFR 679.510 CareerSource Florida Strategic Policy 2023.09.19.A.1
Section IV. B. 2.c. Common technology tools and sharing data within tools outside of Employ Florida.	I think this is a great idea and should be entertained on a statewide basis so that data sharing agreements apply to all regions within the state.	LWDB 16	No	Thank you for your feedback.	N/A

Section IV. B. 3. Development and implementation of sector strategies for in-demand sectors or occupations	Please amend to read: (3) Development and implementation of sector strategies for in-demand sectors or occupations, as appropriate	LWDB 8	No	The policy language aligns with federal regulations and state strategic policy.	20 CFR 679.510 CareerSource Florida Strategic Policy 2023.09.19.A.1.
	Due to the individual needs of each region, the development and implementation would vary from region to region – sometimes vary from county to county.	LWDB 16			
Section IV. B. 5. Coordination of administrative cost arrangements, including the pooling of funds for administrative costs, as appropriate.	According to the amount needing to be pooled, many regions are mid to small and cannot afford to pay equal amounts.	LWDB 16	No	The policy language aligns with federal regulations and state strategic policy. Further, the policy does not prescribe how to pool costs within a planning region. As appropriate, each planning region has the discretion to create administrative cost arrangements, including pooled funds, based on the needs of their local communities.	20 CFR 679.510 CareerSource Florida Strategic Policy 2023.09.19.A.1.
Section IV. B. 6. Coordination of transportation and other support services, as appropriate.	The above statement also rings true with coordination of transportation and other supportive services. Larger regions' customers may have access to a multitude of companies whereas smaller and mid-sized regions may have public transportation but limited to select areas. With supportive services, there is not always funding available in mid to small sized regions and therefore focus more on training and placement.	LWDB 16	No	The policy language aligns with federal regulations and state strategic policy. Further, the policy does not prescribe how planning regions must coordinate transportation and other supportive services. As appropriate, each	20 CFR 679.510 CareerSource Florida Strategic Policy 2023.09.19.A.1.

				planning region has the discretion to coordinate such services, based on the needs of the local community.	
Section IV. B. 7. Coordination of services with regional economic development services and providers	Please amend to read: (7) Coordination of services with regional economic development services and providers, as appropriate	LWDB 8	No	The policy language aligns with federal regulations and state strategic policy.	20 CFR 679.510 CareerSource Florida Strategic Policy 2023.09.19.A.1.
	Each region has its own Economic Development Services that align with that particular county’s needs and at the request of the County Commissioners. This can be doable as long as each region has the right to pursue their individual needs and without consequences to those needs.	LWDB 16			
Section IV. B. 8. Establishment of an agreement concerning how the regional planning area will collectively negotiate performance for the local workforce development areas or the planning region.	What impact will this have on a single region’s performance?	LWDB 8	No	The language aligns with federal regulations. Further, WIOA sec. 107(d)(9) and Administrative Policy 088 – Negotiated Local Levels of Performance Requirements require that locals negotiate performance, and 20 CFR 679.510(a)(1)(viii) requires an agreement between the LWDBs and CLEOs for how a planning region will collectively negotiate and reach agreement with FloridaCommerce on local levels of performance. The representatives of each local area within a planning region are responsible for the performance negotiation process.	WIOA sec. 107(d)(9) 20 CFR 679.510 CareerSource Florida Administrative Policy 088 – Negotiated Local Levels of Performance Requirements
	I am really not in agreement with this at all unless the standards are actually lowered. In our region we have always been held to higher standards and negotiated performance levels. If ours are lowered, the state loses that performance when presenting to DOL or if everyone is brought up to a higher standard, it could also negatively impact the statewide performance. I see this as a loss for statewide performance as a whole.	LWDB 16	No		
Section IV. B. 8. Establishment of an agreement concerning how the regional planning area	The policy states: “LWDBs and CLEOs within an identified planning region must participate in a regional planning process that results in the: (8) Establishment of an agreement concerning how the regional planning area will collectively negotiate performance for the local workforce development	LWDB 21	Yes	The policy language has been updated.	WIOA sec. 116(c)

will collectively negotiate performance for the local workforce development areas or the planning region.	<p>areas or the planning region.” Recommend revising for clarity to read: “Local areas in a planning region or regions comprised of two or more local areas must agree on how it will manage the negotiation with the Governor/FloridaCommerce. The agreement in the regional plan must address:</p> <p>a. If the region will negotiate regional levels of performance in addition to local levels of performance.</p> <p>b. How will the local areas collectively negotiate the regional level of performance.</p> <p>c. Local areas must negotiate local levels of performance consistent with Sec. 116 (c) regardless of if the area is a part of a planning region that collectively negotiates a planning region level of performance. The region may agree to collectively negotiate in several ways including negotiating local levels of performance separately.”</p>				
Section. IV. C. Regional Plan	Is it appropriate to expect regional plan addendums to “include performance goals that are collectively established by the planning region”? Each region has their own strengths and weaknesses, different industries, different populations, etc.	LWDB 14	Yes	The policy language has been updated.	N/A
Section IV. C. Regional Plan.	Will regions be allowed to seek out other regions that are comparable in size, budget and performance as opposed to the state deciding what regions will be paired?	LWDB 16	No	In keeping with section IV.A. of the policy, LWDBs will request to be identified as a planning region based on the requirements outlined in that section. The state will identify planning regions based on these requests.	20 CFR 679.210 CareerSource Florida Strategic Policy 2023.09.19.A.1
Section IV. C. Regional Plan	The policy states: “ <i>Regional plan addendums will include performance goals that are collectively established by the planning region. Collective performance goals established by the regional planning area are not subject to penalties by FloridaCommerce and are required to align the service strategies of the local workforce development areas and provide a basis for continuous improvement.</i> ” This statement is in conflict with § 679.510 as well as section IV.B.8 of the policy that reads: “ <i>Establishment of an agreement concerning how the regional planning area will collectively negotiate performance for the local workforce development areas or the planning region.</i> ”	LWDB 21	Yes	The policy language has been updated.	20 CFR 679.510

	<p>The required negotiation of regional performance measures when the local areas share different service delivery models and local economic goals is not beneficial to the system. There is no ability to apply a statistical adjustment model regionally from FloridaCommerce, therefore, the results may inadvertently subvert the intent of the REACH Act by not adjusting for local areas who serve the hardest to serve. Additionally, these additional measures will serve as a distraction from the current state priorities being tracked through the REACH Letter Grades and the WIOA Primary Indicators of Performance. Recommend providing clarification on the performance goals referenced in section IV.C (perhaps these are not related to participant outcomes) or removing this section to align with the policy. The section could read: “The plan must describe the planning area’s strategic vision and goals for preparing an educated and skilled workforce (including individuals with barriers to employment), including goals relating to the performance accountability measures based on primary indicators of performance described in WIOA Section 116(b)(2)(A) to support economic growth and economic self-sufficiency.</p>				
Last Page	<p>On the last page, under Common economic development areas Enterprise Florida dissolved as of Dec 1. Should this be Select Florida?</p>	LWDB 14	Yes	The attachment has been updated.	N/A