



OIG ETHICS COMPLIANCE REVIEW

RE: ELECTED OFFICIALS' FILING OF 2023 AND 2024 ETHICS TRAINING CERTIFICATIONS

SUMMARY

The Broward Office of the Inspector General ("OIG") has completed a compliance review to determine whether elected officials of Broward County who held office in 2023 and 2024 met the requirement to "file for public inspection"¹ certifications of meeting their annual training requirement ("certification") for each of those years, as the Broward Code of Ethics for Elected Officials ("Ethics Code" or "Code") requires.^{2, 3}

The Ethics Code mandates that each elected official file such a certification within 30 days after the end of each calendar year that he or she is in office, reflecting his or her completion of at least four hours of ethics-related training, including a minimum of two hours in an interactive setting, for the prior calendar year.⁴

As the OIG did in four prior compliance reviews of ethics training certifications,⁵ we contacted and worked with the clerks of those municipalities for whom we could not immediately verify compliance by searching online. At the conclusion of our review, we found that 131 of 133 officials subject to the certification filing requirement in 2023 and 140 of 141 officials subject to that requirement in 2024 had complied.

The OIG has good cause to believe that one elected official did not meet the requirement for 2023 and that a second official did not meet the requirement for either 2023 or 2024. The OIG is opening an investigation to determine whether the conduct of either or both of these two officials warrants a probable cause finding and referral to an administrative hearing officer.

¹ "'Filed for Public Inspection' means either (a) that the form is completed legibly and is filed with the applicable governmental entity's chief administrative official or clerk, with a copy of the form or all information contained thereon subsequently inputted into the applicable governmental entity's database, which database shall be searchable by internet; or (b) all required information, including an input date and electronic signature, is directly inputted into the database, which database is searchable by internet. . . ." Broward County Code of Ordinances ("BCC") Section ("Sec.") 1-19(b)(4).

² For purposes of this review, we considered certifications filed for public inspection that reflected four hours of annual training as in compliance with the requirement for a calendar year. While we may engage in a review of ethics training certifications' substance in the future, we did not do so for this inquiry.

³ BCC Sec. 1-19.

⁴ BCC Sec. 1-19(d)(2).

⁵ This is the OIG's fifth compliance review of elected officials' filing of required ethics training certifications. See our previous reviews in OIG 13-006 (July 2, 2013), OIG 14-010 (September 12, 2014), OIG 18-002 (September 25, 2018), and OIG 23-004-M (August 24, 2023).



RELEVANT GOVERNING AUTHORITIES AND BACKGROUND

Section 1-19 of the Broward County Code of Ordinances, Code of Ethics for Elected Officials

Subsection 1-19(d) of the Ethics Code requires each member of the Broward County Board of County Commissioners and of the governing bodies of each municipality in Broward County to both (1) complete a minimum of four hours of training in certain ethics, public records, and public meetings laws⁶ each calendar year; and (2) file for public inspection a certification that he or she met this requirement.

The Ethics Code includes several provisions related to ethics training. It establishes the period for compliance as the calendar year, with an effective certification deadline of January 30 for the prior calendar year. It requires that at least two of the four hours of training be in an “interactive setting (group or individual).”⁷ It requires the elected officials to provide the mode of each training session, that is, whether the training was “live individual training, live group training, online training, or watching/listening to recorded materials.”⁸ And it requires elected officials to file their certifications for public inspection, that is, ensure the certifications are posted or entered online in a searchable internet database on the elected official’s entity’s website.^{9, 10}

The Code does not define “interactive” or “interactive setting.” Nor does the Code specify a particular document that officials must use to certify their ethics training.

THE OIG’S REVIEW

To conduct this review, the OIG limited its examination to elected officials from Broward County and its municipalities who were (1) subject to the annual filing requirement¹¹ in 2023, 2024, or both, and (2) still in office as of June 1, 2025. After reviewing each governmental entity’s roster of elected officials, the OIG determined that it would evaluate forms for 133 elected officials in 2023 and 141 elected officials in 2024.

An initial inspection of the County’s and municipalities’ websites revealed 113 out of 133 elected officials had complied with these provisions of the Ethics Code in 2023 and 114 out of 141

⁶ The Code specifies the training should cover ethics topics to include “Section 8, Article II, of the Florida Constitution, the state’s Code of Ethics for Public Officers and Employees (Chapter 112, Part III, Florida Statutes), Florida’s public records and public meetings laws, and the ethical standards imposed by the Board [of County Commissioners] pursuant to its authority under Section 112.326, Florida Statutes.” BCC Sec. 1-19(d)(2).

⁷ BCC Sec. 1-19(d)(2).

⁸ BCC Sec. 1-19(d)(3).

⁹ BCC Sec. 1-19(d)(2), Sec. 1-19(b)(4).

¹⁰ The scope of this review did not include the newly elected officials’ training requirement. The Ethics Code requires that, in addition to meeting the annual training requirement discussed herein, newly elected officials file for public inspection a certification that they completed four hours of training in ethics, public records, and public meetings law within 120 days of taking office. BCC Sec. 1-19(d)(1).

¹¹ The OIG interprets BCC Sec. 1-19(d)(2), annual training requirement, consistent with the guidance provided in the June 10, 2015, Florida Commission on Ethics (COE) opinion 15-5, which states, “A constitutional officer or elected municipal officer assuming a new office or new term of office after March 31 is not required to complete ethics training for the calendar year in which the term of office began.”



elected officials had complied in 2024. These elected officials' certifications were properly filed for public inspection, that is, posted online on or entered into their governmental entities' searchable internet databases.

Thirty-five elected officials required follow-up communications with their respective municipal clerks to encourage compliance. To facilitate compliance, the OIG contacted each of these municipal clerks and requested that any missing or incomplete certifications be filed for public inspection or corrected. In response to the OIG's outreach, the municipalities filed updated training information for public inspection, thereby bringing most of the outstanding elected officials into compliance.¹²

As of June 1, 2025, two elected officials appeared to remain out of compliance. Specifically, one appeared to remain out of compliance with his or her 2023 certification requirements, and the other appeared to remain out of compliance with his or her 2023 and 2024 certification requirements.

Elected Official 1 did not appear to complete the required four hours of ethics training in 2023.¹³ He or she did complete and file for public inspection the required annual certification for 2024. Elected Official 2, from the same municipality, did not appear to complete the required four hours of ethics training for either 2023 or 2024. He or she did not submit or file for public inspection a certification for either year.

We have good cause to believe that these two elected officials did not meet their 2023 and/or 2024 annual training obligations under the Ethics Code.

ETHICS CODE AND CERTIFICATION FORM DEFICIENCIES AND RECOMMENDATIONS

In reviewing:

- the applicable provisions of the Ethics Code,
- the four different certification forms used, and
- the substance of completed 2023 and 2024 certifications filed for public inspection,

¹² Three elected officials filed 2023, 2024, or 2025 training certifications that reflected training that did not occur during the indicated calendar year or reflected eight hours for a single calendar year. Because we found that, between January 27, 2023, and January 31, 2025, each had obtained eight hours of annual ethics training, we did not find them to be out of compliance. (Two of these three officials were elected to office in November 2022 and certified to taking another four hours of ethics training within 120 days of taking office as the Broward Ethics Code requires. BCC 1-19(d)(1).) We have informed these three officials or their city attorney that we believe they must complete another four hours of training in 2025 to comply for this calendar year.

¹³ In a prior compliance review, OIG 18-002, the OIG found good cause to believe that Elected Official 1 did not certify completion of ethics training for calendar year 2017. We further investigated the matter under OIG 18-019. During a 2019 interview, the official claimed limited training from the time of his or her 2015 appointment and that he or she had previously been unaware of the filing for public inspection and certification requirements. As the investigation progressed in OIG 18-019, Elected Official 1 attended supplemental training to make up the missing hours and thereafter filed for public inspection a retroactive certification for 2017 that reflected the completion of four hours of ethics training in addition to those required for calendar year 2019.



the OIG observed several deficiencies in the way that elected officials certified their ethics training – deficiencies that hinder consistent compliance with and enforceability of the Ethics Code.

Although the Code directs that elected officials use the form created or approved by the Office of the County Attorney for filing certain other disclosures for public inspection,¹⁴ the Code does not mandate the use of a form created or approved by the Office of County Attorney for ethics training certifications. Nonetheless, most elected officials use a form that that office developed to assist County Commissioners in certifying their annual ethics training, the “Certification of Meeting Annual Training Requirement,” available on the County’s website.¹⁵ (Exhibit 1) Three municipalities¹⁶ have developed their own forms. (Exhibits 2-4)

We observed these deficiencies:

Most filed certifications did not include the elected official’s printed name or affiliated governmental entity. In some cases, the absence of this information rendered it difficult if not impossible without further inquiry to identify who signed the certification. Some forms lacked signatures.

Although the Ethics Code requires that officials attend or participate in at least two hours of annual ethics training in an “interactive setting (group or individual),”¹⁷ the Code does not provide a definition for “interactive” or “interactive setting.”

At the same time, there is a requirement to disclose the mode of training, with just four options, that is, “live individual training, live group training, online training, or watching/listening to recorded materials.”¹⁸ When the interactive requirement was first enacted in 2015, online training sessions in real time were not common, and the four mode options were distinct from each other. Today, at least three of the four training session modes – live individual training, live group training, and online training – could be interactive. Now, an elected official’s attendance at an online training session might or might not be in real time and afford the participant an opportunity to ask questions or provide feedback. An additional concern is that the word “interactive” means more than the interaction of

¹⁴ Disclosure of lobbying activities on matters that are not quasi-judicial in nature “must be filed for public inspection on a form approved by the Office of the County Attorney,” BCC Sec. 1-19(c)(2)a.1. Disclosure of lobbying activities on matters that are quasi-judicial in nature “shall be filed for public inspection on a form approved by the Office of the County Attorney,” BCC Sec. 1-19(c)(2)a.2. Disclosure of outside or concurrent employment “must be disclosed on a form created by the Office of the County Attorney,” BCC Sec. 1-19(c)(2)b. “[T]he Elected Official must disclose [charitable solicitation details] on a form created by the Office of the County Attorney,” BCC Sec. 1-19(c)(5)a.5.c. And an official “must disclose [campaign contribution solicitation details] on a form created by the Office of the County Attorney,” BCC Sec. 1-19(c)(5)b.3.

¹⁵ Ethics Forms, County Attorney’s Office, Broward County. Last accessed on July 7, 2025, from <https://www.broward.org/Legal/Pages/ethicsForms.aspx>.

¹⁶ Pompano Beach, Sunrise, and Weston.

¹⁷ BCC Sec. 1-19(d)(2).

¹⁸ BCC Sec. 1-19(d)(3).



individuals with each other; it now includes the interaction of users with computers, websites, applications, databases, and the like.¹⁹

Most filed certifications failed to include a designated option for elected officials to declare which and how many of their declared training hours met the two-hour interactive requirement.

Many of the filed forms also lacked guidance on whether more than one training mode could or should be selected for a single training session.²⁰ This ambiguity led to inconsistent submissions, with some forms showing multiple training modes for a single session and others omitting a training mode entirely.

To address these issues, the OIG recommends that the Board of County Commissioners consider amending the Ethics Code to:

- define the term “interactive” or “interactive setting”²¹ or replace “interactive” with a term that is more concise and better effects legislative intent;
- eliminate the requirement to provide the mode or change the mode options to be more concise and better effect legislative intent; and
- for consistency and ease of compliance, require elected officials to use a form created by the Office of the County Attorney.

We further recommend that the Office of the County Attorney and the municipalities’ attorneys (unless and until the code permits the Office of the County Attorney to create a standardized form) develop such a form to:

- include required fields for printed names and governmental entity identification,
- clearly provide the training session mode for each session (if the Code continues to require modes),
- separately identify whether each training session was interactive and for how long, and

¹⁹ Merriam-Webster’s online dictionary defines “interactive” as (1) “mutually or reciprocally active,” and (2) “involving the actions or input of a user.” Last accessed on July 7, 2025, from <https://www.merriam-webster.com/dictionary/interactive>. Dictionary.com defines “interactive” as (1) “acting one upon or with the other,” (2) “of or relating to a two-way system of electronic communications, as by means of television or computer,” and (3) “(of a computer program or system) interacting with a human user, often in a conversational way, to obtain data or commands and to give immediate results or updated information.” Last accessed on July 7, 2025, from <https://www.dictionary.com/browse/interactive>.

²⁰ The .pdf version of the form, available at the County’s website (Exhibit 1), allows for one or no “training method,” which we presume to mean mode, but disallows the user from choosing multiple training methods for the same session. However, by printing and using a hard copy of this form, the user can choose no, one, or multiple training methods for the same session.

²¹ As a starting point for discussion, we recommend the following definition: “‘Interactive’ or ‘interactive setting’ means that the official in attendance at a training session had the opportunity in real time to ask questions of, seek clarification from, and provide feedback to the training instructor(s).”



- permit only one mode per training session (if the Code continues to require modes).

We recently discussed these deficiencies with the County Attorney's Office and appreciate that, at present, it is considering our recommendations to improve the understanding, application, and enforceability of ethics training certifications.

CONCLUSION

At the start of our review regarding 2023 and 2024 annual ethics training certifications, the OIG determined that 113 out of 133 elected officials or approximately 85% filed complete and timely certifications for public inspection for 2023 as mandated by the Ethics Code and that 114 out of 141 officials or approximately 81% did so for 2024.

After follow-up efforts by the OIG, nearly all the apparently non-compliant officials filed for public inspection corrected or late certifications, resulting in a final substantial compliance rate of 131 of 133 officials or approximately 98% for 2023 and 140 of 141 officials or approximately 99% for 2024.

Two officials appear to be out of compliance for the 2023 cycle; one of them also appears to be out of compliance for the 2024 cycle.

During our review, we identified several deficiencies in the operation of the certifications. As such, we have recommended that the Ethics Code be amended and that a uniform certification form be implemented to improve the understanding, application, and enforceability of the elected officials' ethics training certification requirement.

Unfortunately, we found good cause to believe that two elected officials did not meet their annual ethics training or ethics training certification obligations under the Ethics Code for 2023, or both 2023 and 2024. The OIG will commence an investigation into those circumstances. Following our investigation, as appropriate, we will report our findings to the public and refer our findings to an administrative hearing officer as Broward County Charter Section 10.01 provides.

CERTIFICATION OF MEETING ANNUAL TRAINING REQUIREMENT

I hereby certify that I have received a minimum of four hours of training on the topics of Sunshine Law, public records, and public service ethics during the year ending _____.

Date of Training Session	Length of training (in hours)	Training Method
		Individual live training Group live training Online training Watched or listened to recorded material
		Individual live training Group live training Online training Watched or listened to recorded material
		Individual live training Group live training Online training Watched or listened to recorded material
		Individual live training Group live training Online training Watched or listened to recorded material
		Individual live training Group live training Online training Watched or listened to recorded material

Signature of Elected Official: _____

Date: _____

Date July 24, 2023

Kervin Alfred, City Clerk
 City of Pompano Beach, Florida
 100 W. Atlantic Boulevard, Suite 253
 Pompano Beach, Florida 33060

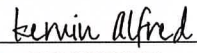
CERTIFICATION OF COMPLETION OF ANNUAL ETHICS TRAINING

I, Pompano Beach [REDACTED] hereby certify that I have completed four (4) hours of continuing education training on the topics of Sunshine Law, public records, and public service ethics for the reporting year ending 2023 as required by the Amended Broward County Code of Ethics for Elected Officials, §1-19(d)(2), Broward County Code of Ordinances.

Date of Training Session	Length of training (in hours)	Training Method
February 22, 2023	4 Hours	<input type="checkbox"/> Individual live training <input type="checkbox"/> Group live training <input checked="" type="checkbox"/> Online training <input type="checkbox"/> Watched or listened to recorded material
		<input type="checkbox"/> Individual live training <input type="checkbox"/> Group live training <input type="checkbox"/> Online training <input type="checkbox"/> Watched or listened to recorded material
		<input type="checkbox"/> Individual live training <input type="checkbox"/> Group live training <input type="checkbox"/> Online training <input type="checkbox"/> Watched or listened to recorded material

[REDACTED]
 Vice Mayor

Acknowledgement of Receipt:

DocuSigned by:

 City Clerk D1C913A8ED334CA...

July 25, 2023

Date



CITY CLERK
CITY OF SUNRISE

2023 DEC 19 AM 11:47

Felicia M. Bravo, City Clerk
City of Sunrise
10770 W. Oakland Park Boulevard
Sunrise, FL 33351

CERTIFICATION OF COMPLETION OF ANNUAL ELECTED OFFICIAL TRAINING¹²

I, City of Sunrise Mayor/Commissioner [REDACTED] hereby certify that for calendar year 2023, I have completed four (4) hours of continuing education conducted by a regional university, municipal or local government organization, or the state or regional Bar association on the topics of Section 8, Article II, of the Florida Constitution, the state's Code of Ethics for Public Officers and Employees (Chapter 112, Part III, Florida Statutes), Florida's public records and public meeting laws, and the ethical standards imposed by the Board of County Commissioners pursuant to its authority under Section 112.326, Florida Statutes, two (2) hours of which were in an interactive setting (group or individual), as required by the Broward County Code of Ethics for Elected Officials, §1-19(d)(2), Broward County Code of Ordinances, as described below:

DATE	HOURS	*MODE OF SESSION:
12/13/2023	FOUR (4)	Live Group training

Signature of Sunrise Elected Official

Printed Name

Date

12/19/23

*** MODES OF SESSION:**

- Live Individual Training
- Live Group Training
- Online Training
- Watching/Listening to Recorded Materials

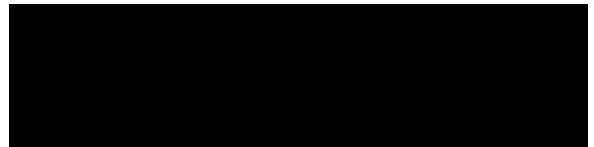
¹ This form shall be filed for public inspection within thirty (30) days after the end of the calendar year.

² Revised consistent with Broward County Ordinance 2017-01.



CERTIFICATION OF COMPLETION OF ANNUAL ETHICS TRAINING

I, [REDACTED] hereby certify that by attending a four hour live ethics seminar on December 13, 2023, I have completed the required continuing education training on the topic of public service ethics for the reporting period of January 1, 2023 through December 31, 2023, as required by the Broward County Code of Ethics for Elected Officials, Section 1-19(d)(2), Broward County Code of Ordinances.



Receipt acknowledged 13th day of December 2023.

Patricia A. Bates

Patricia A. Bates, MMC, City Clerk