

By the Committee on Information Technology and  
Representatives Jennings, Joyner, Brutus, Jordan, Gannon,  
Paul, Harrell and Ausley

1                                   A bill to be entitled  
2           An act relating to workforce development  
3           through education and training in information  
4           technology; providing legislative findings and  
5           intent; creating the Digital Divide Council in  
6           the State Technology Office; specifying  
7           membership; providing for terms, filling  
8           vacancies, and compensation; providing for  
9           council meetings and officers; requiring the  
10          State Technology Office to provide  
11          administrative and technical support; providing  
12          powers and duties of the council; authorizing  
13          design and implementation of certain programs;  
14          providing program objectives and goals;  
15          requiring the council to monitor, review, and  
16          assess program performances; requiring reports;  
17          providing an appropriation; providing an  
18          effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22           Section 1. Legislative findings and intent; Digital  
23 Divide Council; powers and duties; program objectives and  
24 goals; review and assessment of program performances; annual  
25 report.--

26           (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature  
27 finds as follows:

28           (a) Frequent access to use of information technology  
29 and possession of the knowledge and skills required to use  
30 information technology productively is becoming increasingly  
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1 more important to being competitively qualified for  
2 high-skill, high-wage employment.

3 (b) The availability of reasonable opportunities to  
4 have frequent access to use of information technology and to  
5 obtain the education and training necessary to acquire the  
6 knowledge and skills required to use information technology  
7 productively is critical to becoming competitively qualified  
8 for high-skill, high-wage employment.

9 (c) Families that are living near or below the poverty  
10 level are without adequate economic resources to have  
11 reasonable opportunities to obtain frequent access to use of  
12 information technology or the education and training necessary  
13 to acquire the knowledge and skills required to become  
14 competitively qualified for high-skill, high-wage employment.

15 (d) The absence of such economic resources divides  
16 such families from those who have adequate economic resources  
17 to have such opportunities, places such families at risk of  
18 never realizing their employment and income earning potential,  
19 and prevents the state's economy from prospering to the extent  
20 possible if such families realized their employment and income  
21 earning potential.

22 (e) The divide between the members of such at-risk  
23 families and those who have adequate economic resources to  
24 have reasonable opportunities to obtain access to frequent use  
25 of information technology and the education and training  
26 necessary to acquire the knowledge and skills required to  
27 become competitively qualified for high-skill, high-wage  
28 employment could be reduced, and the economy of the state  
29 could be enhanced, by designing and implementing programs that  
30 provide such opportunities to members of such at-risk  
31 families.

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2 It is the intent of the Legislature to provide the authority  
3 and resources reasonably necessary to facilitate design and  
4 implementation of such programs.  
5 (2) DIGITAL DIVIDE COUNCIL.--The Digital Divide  
6 Council is created in the State Technology Office. The council  
7 shall consist of:  
8 (a) The chief information officer in the State  
9 Technology Office.  
10 (b) The director of the Office of Tourism, Trade, and  
11 Economic Development in the Executive Office of the Governor.  
12 (c) The president of Workforce Florida, Inc.  
13 (d) The director of the Agency for Workforce  
14 Innovation.  
15 (e) The chair of itflorida.com, Inc.  
16 (f) The Commissioner of Education.  
17 (g) The executive director of the State Board of  
18 Community Colleges.  
19 (h) The executive director of the State Board for  
20 Career Education.  
21 (i) The chair of the Network Access Point of the  
22 Americas.  
23 (j) A representative of the information technology  
24 industry in this state appointed by the Speaker of the House  
25 of Representatives.  
26 (k) A representative of the information technology  
27 industry in this state appointed by the President of the  
28 Senate.  
29 (l) Two members of the House of Representatives, who  
30 shall be ex officio, nonvoting members of the council,  
31 appointed by the Speaker of the House of Representatives, one

1 of whom shall be a member of the Republican caucus and the  
2 other of whom shall be a member of the Democratic caucus.

3 (m) Two members of the Senate, who shall be ex  
4 officio, nonvoting members of the council, appointed by the  
5 President of the Senate, one of whom shall be a member of the  
6 Republican caucus and the other of whom shall be a member of  
7 the Democratic caucus.

8 (3) TERMS OF APPOINTED MEMBERS OF COUNCIL; VACANCIES;  
9 COMPENSATION OF MEMBERS.--The appointed members of the council  
10 shall serve an initial term of 1 year commencing July 1, 2001,  
11 and ending June 30, 2002, and successor appointees shall serve  
12 a term of 2 years, the first of which shall commence July 1,  
13 2002, and end June 30, 2004. Successive 2-year terms shall  
14 commence and end on the same schedule in subsequent years. Any  
15 vacancy in the membership of the council resulting from  
16 resignation, incapacity, or death shall be filled within 30  
17 days after the date the vacancy is effective. The appointed  
18 members of the council shall serve without compensation, but  
19 such appointees and the other members of the council shall be  
20 entitled to receive per diem and reimbursement for travel  
21 expenses as provided in s. 112.061, Florida Statutes. Payment  
22 of such per diem and reimbursement of such travel expenses  
23 shall be made from revenues deposited in the Digital Divide  
24 Trust Fund and from appropriations authorized to be used for  
25 such purposes.

26 (4) COUNCIL MEETINGS; ELECTION OF OFFICERS.--The  
27 council shall conduct its initial meeting by August 1, 2001,  
28 and shall meet thereafter at least once every 60 days. In its  
29 initial meeting, the members of the council shall elect a  
30 member to serve as chair and another to serve as vice chair,  
31 each for a term of 1 year from the date of the election. Any

1 vacancy in the offices of chair and vice chair resulting from  
2 resignation, incapacity, or death shall be filled by similar  
3 election within 30 days after the date the vacancy is  
4 effective.

5 (5) ADMINISTRATIVE AND TECHNICAL SUPPORT; PAYMENT OF  
6 SUPPORT COSTS.--The State Technology Office shall provide such  
7 administrative and technical support to the council as is  
8 reasonably necessary for the council to effectively and timely  
9 carry out its duties and responsibilities. All direct and  
10 indirect costs of providing such support and performing the  
11 other duties imposed on the State Technology Office related to  
12 design and implementation of the programs authorized by this  
13 section shall be paid from revenues deposited in the Digital  
14 Divide Trust Fund and from appropriations authorized to be  
15 used for such purposes.

16 (6) POWERS AND DUTIES OF COUNCIL.--The council,  
17 through the State Technology Office, is authorized and  
18 empowered to facilitate the design and implementation of  
19 programs that are aimed at achieving the objectives and goals  
20 stated in this section. The State Technology Office shall  
21 present and demonstrate to the council the design  
22 characteristics and functional elements of each program  
23 proposed to be implemented to achieve the objectives and goals  
24 stated in this section and each such program shall be reviewed  
25 and approved by the council before being implemented. Such  
26 programs shall initially be implemented as pilot programs in a  
27 minimum of six different areas of the state to develop model  
28 programs that are likely to be successful if implemented  
29 throughout the state. The areas of the state where the pilot  
30 programs are implemented shall be selected by the council with  
31 the objectives of testing the merits of the programs in each

1 geographic region of the state and providing equal exposure of  
2 the programs to urban and rural communities alike.  
3 Implementation of all such pilot and model programs shall be  
4 administered by and through the local workforce development  
5 boards and each such board shall coordinate and confirm the  
6 ready availability and timely delivery of all elements of such  
7 programs to ensure the highest probability of such programs  
8 achieving their intended results.  
9 (7) PROGRAM OBJECTIVES AND GOALS.--The programs  
10 authorized by this section shall have the following objectives  
11 and goals:  
12 (a) Maximizing efficient and productive use of  
13 existing facilities, equipment, personnel, programs, and funds  
14 available from federal, state, and local government agencies  
15 and from any private person or entity.  
16 (b) Using innovative concepts employing newly  
17 developed technologies in educating and training those who are  
18 enrolled in the programs authorized by this section.  
19 (c) Developing viable partnerships between public  
20 agencies and private persons and entities based on mutual  
21 commitment to responsible and dedicated participation in  
22 designing and implementing the programs authorized by this  
23 section.  
24 (d) Recruiting, enrolling, retaining, and graduating  
25 as many at-risk family members as feasible to ensure that they  
26 have reasonable opportunities to obtain access to frequent use  
27 of information technology and the education and training  
28 necessary to competitively qualify them for high-skill,  
29 high-wage employment.  
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1       (e) Reducing the number of underachieving and failing  
2 students in the state's public school systems who are members  
3 of at-risk families.

4       (f) Reducing the number of underemployed and  
5 unemployed members of at-risk families.

6       (g) Using information technology to facilitate  
7 achievement of the Sunshine State Standards by all children  
8 enrolled in the state's K-12 school system who are members of  
9 at-risk families.

10       (h) Training teachers in the state's K-12 school  
11 system to efficiently and effectively use information  
12 technology to plan, teach, and administer all courses of  
13 instruction required and available by election of children  
14 enrolled in the system.

15       (i) Using information technology to enable members of  
16 at-risk families who are no longer enrolled in K-12 schools to  
17 obtain the education needed to achieve successful completion  
18 of general education development test preparation to earn a  
19 high school diploma, an applied technology diploma, a  
20 vocational certificate, an associate of arts degree, or a  
21 baccalaureate degree.

22       (j) Bridge the digital divide in developing a  
23 competitive workforce to meet the employment needs of  
24 state-based information technology businesses and establish  
25 this state as having the most information technology ready  
26 workforce in the western hemisphere.

27       (8) MONITORING, REVIEWING, AND EVALUATING PROGRAM  
28 PERFORMANCES; REPORTING RESULTS.--The council, through the  
29 State Technology Office, shall continually monitor, review,  
30 and evaluate the progress of performances realized from  
31 implementation of the programs authorized by this section. The

1 State Technology Office shall prepare and submit a report to  
2 the council at least 10 days before each of its meetings  
3 subsequent to its initial meeting and each such report shall,  
4 at a minimum, identify and describe the functional elements of  
5 each program being implemented and identify and describe the  
6 facilities, equipment, personnel, programs, and funds used to  
7 design and implement the program. For each such program, the  
8 report shall also identify by name, address, age, and sex the  
9 school-age children, and their older siblings and parents, who  
10 are enrolled in the program, state the educational level  
11 achieved by each enrollee as of the date he or she enrolled in  
12 the program, state the attendance and achievement level  
13 recorded for each enrollee in the program, evaluate the  
14 progress each enrollee is making toward successful completion  
15 of the program, and identify by name, address, age, and sex  
16 each enrollee who successfully completes the program. For each  
17 such program that is designed to prepare enrollees for  
18 high-skill, high-wage employment, the report shall identify  
19 each enrollee who successfully completes the program, describe  
20 each such employment position for which each enrollee has  
21 applied, identify by name, address, and nature of business  
22 each employer based in this state to whom each such  
23 application for employment has been addressed, state the  
24 results each enrollee obtained from making each such  
25 application, and describe the nature of any employment  
26 obtained and terms of compensation being earned from such  
27 employment by each enrollee as a result of making such  
28 applications.

29 (9) ANNUAL REPORT.--By March 1, 2002, the council,  
30 through the State Technology Office, shall report to the  
31 Executive Office of the Governor, the Speaker of the House of



1 Representatives, and the President of the Senate the results  
2 of the council's monitoring, reviewing, and evaluating such  
3 programs since their inception and the council's  
4 recommendations as to whether such programs should be  
5 continued and expanded to achieve the objectives and goals  
6 stated in this section.

7       Section 2. There is hereby appropriated \$3 million  
8 from the Digital Divide Trust Fund to implement this act, \$1  
9 million of which shall be released on July 1, 2001, and the  
10 remainder of which shall be released upon deposit of matching  
11 funds in the Digital Divide Trust Fund. Matching funds are any  
12 funds which are not Temporary Assistance to Needy Families  
13 funds and shall include, but not be limited to, any federal,  
14 state, and local government funds and any gifts, donations, or  
15 in-kind or matching contributions from a private person or  
16 entity that may be lawfully made to and received in the  
17 Digital Divide Trust Fund.

18       Section 3. This act shall take effect July 1, 2001, or  
19 upon becoming a law, whichever first occurs.  
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