

1                                   A bill to be entitled  
2           An act relating to workforce development;  
3           amending s. 445.004, F.S.; specifying an  
4           additional member of the board of directors of  
5           Workforce Florida, Inc.; requiring certain  
6           funds to be expended for after-school care  
7           programs; prohibiting certain uses of such  
8           funds; prescribing eligibility criteria for  
9           certain organizations providing such programs;  
10          amending s. 445.007, F.S.; providing  
11          legislative intent relating to involving  
12          certain persons in board activities; providing  
13          legislative findings and intent; creating the  
14          Digital Divide Council in the State Technology  
15          Office; specifying membership; providing for  
16          terms, filling vacancies, and compensation;  
17          providing for council meetings and officers;  
18          requiring the State Technology Office to  
19          provide administrative and technical support;  
20          providing powers and duties of the council;  
21          authorizing design and implementation of  
22          certain programs; providing program objectives  
23          and goals; requiring the council to monitor,  
24          review, and assess program performances;  
25          requiring reports; providing an effective date.

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

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29           Section 1. Paragraph (a) of subsection (3) and  
30          paragraph (a) of subsection (10) of section 445.004, Florida  
31          Statutes, are amended to read:

1           445.004 Workforce Florida, Inc.; creation; purpose;  
2 membership; duties and powers.--

3           (3)(a) Workforce Florida, Inc., shall be governed by a  
4 board of directors, the number of directors to be determined  
5 by the Governor, whose membership and appointment must be  
6 consistent with Pub. L. No. 105-220, Title I, s. 111(b), and  
7 contain one member representing the licensed nonpublic  
8 postsecondary educational institutions authorized as  
9 individual training account providers, one member from the  
10 staffing service industry, at least one member who is a  
11 current or former recipient of welfare transition services as  
12 defined in s. 445.002(3) or workforce services as provided in  
13 s. 445.009(1),and five representatives of organized labor who  
14 shall be appointed by the Governor. Notwithstanding s.  
15 114.05(1)(f), the Governor may appoint remaining members to  
16 Workforce Florida, Inc., from the current Workforce  
17 Development Board and the WAGES Program State Board of  
18 Directors, established pursuant to chapter 96-175, Laws of  
19 Florida, to serve on the reconstituted board. By July 1, 2000,  
20 the Workforce Development Board will provide to the Governor a  
21 transition plan to incorporate the changes required by this  
22 act and Pub. L. No. 105-220, specifying the manner of changes  
23 to the board. This plan shall govern the transition, unless  
24 otherwise notified by the Governor. The importance of  
25 minority, gender, and geographic representation shall be  
26 considered when making appointments to the board.

27           (10) The workforce development strategy for the state  
28 shall be designed by Workforce Florida, Inc., and shall be  
29 centered around the strategies of First Jobs/First Wages,  
30 Better Jobs/Better Wages, and High Skills/High Wages.

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1           (a) First Jobs/First Wages is the state's strategy to  
2 promote successful entry into the workforce through education  
3 and workplace experience that lead to self-sufficiency and  
4 career advancement. The components of the strategy include  
5 efforts that enlist business, education, and community support  
6 for students to achieve long-term career goals, ensuring that  
7 young people have the academic and occupational skills  
8 required to succeed in the workplace. A minimum of 15 percent  
9 of all Workforce Investment Act youth services funds shall be  
10 expended for after-school care programs, through contracts  
11 with qualified community-based organizations and faith-based  
12 organizations, on an equal basis with other private  
13 organizations, to provide after-school care programs to  
14 eligible children 14 through 18 years of age. These programs  
15 shall include academic tutoring, mentoring, and other  
16 appropriate services. Similar services may be provided for  
17 eligible children 6 through 13 years of age using Temporary  
18 Assistance for Needy Families funds. Funds expended under this  
19 paragraph may not be used for religious or sectarian purposes.  
20 To provide after-school care programs under this paragraph, a  
21 community-based organization or a faith-based organization  
22 must be a nonprofit organization that holds a current  
23 exemption from federal taxation under s. 501(c)(3) or (4) of  
24 the Internal Revenue Code or must be a religious organization  
25 that is not required to apply for recognition of its exemption  
26 from federal taxation under s. 501(c)(3) of the Internal  
27 Revenue Code.

28           Section 2. Subsection (1) of section 445.007, Florida  
29 Statutes, is amended to read:

30           445.007 Regional workforce boards.--

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1           (1) One regional workforce board shall be appointed in  
2 each designated service delivery area and shall serve as the  
3 local workforce investment board pursuant to Pub. L. No.  
4 105-220. The membership of the board shall be consistent with  
5 Pub. L. No. 105-220, Title I, s. 117(b), and contain one  
6 representative from a nonpublic postsecondary educational  
7 institution that is an authorized individual training account  
8 provider within the region and confers certificates and  
9 diplomas, one representative from a nonpublic postsecondary  
10 educational institution that is an authorized individual  
11 training account provider within the region and confers  
12 degrees, and three representatives of organized labor.  
13 Individuals serving as members of regional workforce  
14 development boards or local WAGES coalitions, as of June 30,  
15 2000, are eligible for appointment to regional workforce  
16 boards, pursuant to this section. It is the intent of the  
17 Legislature that, whenever possible and to the greatest extent  
18 practicable, membership of a regional workforce board include  
19 persons who are current or former recipients of welfare  
20 transition assistance as defined in s. 445.002(3) or workforce  
21 services as provided in s. 445.009(1), or that such persons be  
22 included as ex officio members of the board or of committees  
23 organized by the board.The importance of minority and gender  
24 representation shall be considered when making appointments to  
25 the board. If the regional workforce board enters into a  
26 contract with an organization or individual represented on the  
27 board of directors, the contract must be approved by a  
28 two-thirds vote of the entire board, and the board member who  
29 could benefit financially from the transaction must abstain  
30 from voting on the contract. A board member must disclose any  
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1 such conflict in a manner that is consistent with the  
2 procedures outlined in s. 112.3143.

3           Section 3. Legislative findings and intent; Digital  
4 Divide Council; powers and duties; program objectives and  
5 goals; review and assessment of program performances; annual  
6 report.--

7           (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature  
8 finds as follows:

9           (a) Frequent access to use of information technology  
10 and possession of the knowledge and skills required to use  
11 information technology productively is becoming increasingly  
12 more important to being competitively qualified for  
13 high-skill, high-wage employment.

14           (b) The availability of reasonable opportunities to  
15 have frequent access to use of information technology and to  
16 obtain the education and training necessary to acquire the  
17 knowledge and skills required to use information technology  
18 productively is critical to becoming competitively qualified  
19 for high-skill, high-wage employment.

20           (c) Families that are living near or below the poverty  
21 level are without adequate economic resources to have  
22 reasonable opportunities to obtain frequent access to use of  
23 information technology or the education and training necessary  
24 to acquire the knowledge and skills required to become  
25 competitively qualified for high-skill, high-wage employment.

26           (d) The absence of such economic resources divides  
27 such families from those who have adequate economic resources  
28 to have such opportunities, places such families at risk of  
29 never realizing their employment and income earning potential,  
30 and prevents the state's economy from prospering to the extent  
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1 possible if such families realized their employment and income  
2 earning potential.

3 (e) The divide between the members of such at-risk  
4 families and those who have adequate economic resources to  
5 have reasonable opportunities to obtain access to frequent use  
6 of information technology and the education and training  
7 necessary to acquire the knowledge and skills required to  
8 become competitively qualified for high-skill, high-wage  
9 employment could be reduced, and the economy of the state  
10 could be enhanced, by designing and implementing programs that  
11 provide such opportunities to members of such at-risk  
12 families.

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14 It is the intent of the Legislature to provide the authority  
15 and resources reasonably necessary to facilitate design and  
16 implementation of such programs.

17 (2) DIGITAL DIVIDE COUNCIL.--The Digital Divide  
18 Council is created in the State Technology Office. The council  
19 shall consist of:

20 (a) The chief information officer in the State  
21 Technology Office.

22 (b) The director of the Office of Tourism, Trade, and  
23 Economic Development in the Executive Office of the Governor.

24 (c) The president of Workforce Florida, Inc.

25 (d) The director of the Agency for Workforce  
26 Innovation.

27 (e) The chair of itflorida.com, Inc.

28 (f) The Commissioner of Education.

29 (g) The executive director of the State Board of  
30 Community Colleges.

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1           (h) The executive director of the State Board for  
2 Career Education.

3           (i) The chair of the Network Access Point of the  
4 Americas.

5           (j) A representative of the information technology  
6 industry in this state appointed by the Speaker of the House  
7 of Representatives.

8           (k) A representative of the information technology  
9 industry in this state appointed by the President of the  
10 Senate.

11           (l) Two members of the House of Representatives, who  
12 shall be ex officio, nonvoting members of the council,  
13 appointed by the Speaker of the House of Representatives, one  
14 of whom shall be a member of the Republican caucus and the  
15 other of whom shall be a member of the Democratic caucus.

16           (m) Two members of the Senate, who shall be ex  
17 officio, nonvoting members of the council, appointed by the  
18 President of the Senate, one of whom shall be a member of the  
19 Republican caucus and the other of whom shall be a member of  
20 the Democratic caucus.

21           (3) TERMS OF APPOINTED MEMBERS OF COUNCIL; VACANCIES;  
22 COMPENSATION OF MEMBERS.--The appointed members of the council  
23 shall serve an initial term of 1 year commencing July 1, 2001,  
24 and ending June 30, 2002, and successor appointees shall serve  
25 a term of 2 years, the first of which shall commence July 1,  
26 2002, and end June 30, 2004. Successive 2-year terms shall  
27 commence and end on the same schedule in subsequent years. Any  
28 vacancy in the membership of the council resulting from  
29 resignation, incapacity, or death shall be filled within 30  
30 days after the date the vacancy is effective. The appointed  
31 members of the council shall serve without compensation, but

1 such appointees and the other members of the council shall be  
2 entitled to receive per diem and reimbursement for travel  
3 expenses as provided in section 112.061, Florida Statutes.  
4 Payment of such per diem and reimbursement of such travel  
5 expenses may be made from appropriations authorized to be used  
6 for such purposes.

7 (4) COUNCIL MEETINGS; ELECTION OF OFFICERS.--The  
8 council shall conduct its initial meeting by August 1, 2001,  
9 and shall meet thereafter at least once every 60 days. In its  
10 initial meeting, the members of the council shall elect a  
11 member to serve as chair and another to serve as vice chair,  
12 each for a term of 1 year from the date of the election. Any  
13 vacancy in the offices of chair and vice chair resulting from  
14 resignation, incapacity, or death shall be filled by similar  
15 election within 30 days after the date the vacancy is  
16 effective.

17 (5) ADMINISTRATIVE AND TECHNICAL SUPPORT; PAYMENT OF  
18 SUPPORT COSTS.--The State Technology Office shall provide such  
19 administrative and technical support to the council as is  
20 reasonably necessary for the council to effectively and timely  
21 carry out its duties and responsibilities. All direct and  
22 indirect costs of providing such support and performing the  
23 other duties assigned to the State Technology Office related  
24 to design and implementation of the programs authorized by  
25 this section may be paid from appropriations authorized to be  
26 used for such purposes.

27 (6) POWERS AND DUTIES OF COUNCIL.--The council,  
28 through the State Technology Office, is authorized and  
29 empowered to facilitate the design and implementation of  
30 programs that are aimed at achieving the objectives and goals  
31 stated in this section. The State Technology Office shall



1 present and demonstrate to the council the design  
2 characteristics and functional elements of each program  
3 proposed to be implemented to achieve the objectives and goals  
4 stated in this section and each such program shall be reviewed  
5 and approved by the council before being implemented. Such  
6 programs shall initially be implemented as pilot programs in a  
7 minimum of six different areas of the state to develop model  
8 programs that are likely to be successful if implemented  
9 throughout the state. The areas of the state where the pilot  
10 programs are implemented shall be selected by the council with  
11 the objectives of testing the merits of the programs in each  
12 geographic region of the state and providing equal exposure of  
13 the programs to urban and rural communities alike.

14 Implementation of all such pilot and model programs shall be  
15 administered by and through the local workforce development  
16 boards and each such board shall coordinate and confirm the  
17 ready availability and timely delivery of all elements of such  
18 programs to ensure the highest probability of such programs  
19 achieving their intended results.

20 (7) PROGRAM OBJECTIVES AND GOALS.--The programs  
21 authorized by this section shall have the following objectives  
22 and goals:

23 (a) Maximizing efficient and productive use of  
24 existing facilities, equipment, personnel, programs, and funds  
25 available from federal, state, and local government agencies  
26 and from any private person or entity.

27 (b) Using innovative concepts employing newly  
28 developed technologies in educating and training those who are  
29 enrolled in the programs authorized by this section.

30 (c) Developing viable partnerships between public  
31 agencies and private persons and entities based on mutual

1 commitment to responsible and dedicated participation in  
2 designing and implementing the programs authorized by this  
3 section.

4 (d) Recruiting, enrolling, retaining, and graduating  
5 as many at-risk family members as feasible to ensure that they  
6 have reasonable opportunities to obtain access to frequent use  
7 of information technology and the education and training  
8 necessary to competitively qualify them for high-skill,  
9 high-wage employment.

10 (e) Reducing the number of underachieving and failing  
11 students in the state's public school systems who are members  
12 of at-risk families.

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

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

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

24 (i) Using information technology to enable members of  
25 at-risk families who are no longer enrolled in K-12 schools to  
26 obtain the education needed to achieve successful completion  
27 of general education development test preparation to earn a  
28 high school diploma, an applied technology diploma, a  
29 vocational certificate, an associate of arts degree, or a  
30 baccalaureate degree.

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1           (j) Bridge the digital divide in developing a  
2 competitive workforce to meet the employment needs of  
3 state-based information technology businesses and establish  
4 this state as having the most information technology ready  
5 workforce in the western hemisphere.

6           (8) MONITORING, REVIEWING, AND EVALUATING PROGRAM  
7 PERFORMANCES; REPORTING RESULTS.--The council, through the  
8 State Technology Office, shall continually monitor, review,  
9 and evaluate the progress of performances realized from  
10 implementation of the programs authorized by this section. The  
11 State Technology Office shall prepare and submit a report to  
12 the council at least 10 days before each of its meetings  
13 subsequent to its initial meeting and each such report shall,  
14 at a minimum, identify and describe the functional elements of  
15 each program being implemented and identify and describe the  
16 facilities, equipment, personnel, programs, and funds used to  
17 design and implement the program. For each such program, the  
18 report shall also identify by name, address, age, and sex the  
19 school-age children, and their older siblings and parents, who  
20 are enrolled in the program, state the educational level  
21 achieved by each enrollee as of the date he or she enrolled in  
22 the program, state the attendance and achievement level  
23 recorded for each enrollee in the program, evaluate the  
24 progress each enrollee is making toward successful completion  
25 of the program, and identify by name, address, age, and sex  
26 each enrollee who successfully completes the program. For each  
27 such program that is designed to prepare enrollees for  
28 high-skill, high-wage employment, the report shall identify  
29 each enrollee who successfully completes the program, describe  
30 each such employment position for which each enrollee has  
31 applied, identify by name, address, and nature of business

1 each employer based in this state to whom each such  
2 application for employment has been addressed, state the  
3 results each enrollee obtained from making each such  
4 application, and describe the nature of any employment  
5 obtained and terms of compensation being earned from such  
6 employment by each enrollee as a result of making such  
7 applications.

8 (9) ANNUAL REPORT.--By March 1, 2002, the council,  
9 through the State Technology Office, shall report to the  
10 Executive Office of the Governor, the Speaker of the House of  
11 Representatives, and the President of the Senate the results  
12 of the council's monitoring, reviewing, and evaluating such  
13 programs since their inception and the council's  
14 recommendations as to whether such programs should be  
15 continued and expanded to achieve the objectives and goals  
16 stated in this section.

17 Section 4. This act shall take effect upon becoming a  
18 law.