

1                                   A bill to be entitled  
 2           An act relating to the Digital Divide Council; amending s.  
 3           445.049, F.S.; recreating the council in the Department of  
 4           Education; revising the membership of the council;  
 5           providing for terms of office; requiring an initial  
 6           meeting and at specified times thereafter; conforming  
 7           references; deleting requirements for certain pilot  
 8           programs; providing objectives of the council; requiring  
 9           an annual report to the Governor and the Legislature;  
 10          providing an effective date.

11  
 12 Be It Enacted by the Legislature of the State of Florida:

13  
 14           Section 1. Section 445.049, Florida Statutes, is amended  
 15 to read:

16           445.049 Digital Divide Council.--

17           (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature  
 18 finds as follows:

19           (a) Frequent access to use of information technology and  
 20 possession of the knowledge and skills required to use  
 21 information technology productively is becoming increasingly  
 22 more important to being competitively qualified for high-skill,  
 23 high-wage employment.

24           (b) The availability of reasonable opportunities to have  
 25 frequent access to use of information technology and to obtain  
 26 the education and training necessary to acquire the knowledge  
 27 and skills required to use information technology productively  
 28 is critical to becoming competitively qualified for high-skill,

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29 high-wage employment.

30 (c) Families that are living near or below the poverty  
31 level are without adequate economic resources to have reasonable  
32 opportunities to obtain frequent access to use of information  
33 technology or the education and training necessary to acquire  
34 the knowledge and skills required to become competitively  
35 qualified for high-skill, high-wage employment.

36 (d) The absence of such economic resources divides such  
37 families from those who have adequate economic resources to have  
38 such opportunities, places such families at risk of never  
39 realizing their employment and income earning potential, and  
40 prevents the state's economy from prospering to the extent  
41 possible if such families realized their employment and income  
42 earning potential.

43 (e) The divide between the members of such at-risk  
44 families and those who have adequate economic resources to have  
45 reasonable opportunities to obtain access to frequent use of  
46 information technology and the education and training necessary  
47 to acquire the knowledge and skills required to become  
48 competitively qualified for high-skill, high-wage employment  
49 could be reduced, and the economy of the state could be  
50 enhanced, by designing and implementing programs that provide  
51 such opportunities to members of such at-risk families.

52  
53 It is the intent of the Legislature to provide the authority and  
54 resources reasonably necessary to facilitate design and  
55 implementation of such programs.

56 (2) DIGITAL DIVIDE COUNCIL.--The Digital Divide Council is

57 | created in the Department of Education State Technology Office.

58 | The council shall consist of:

59 |       (a) A representative from the information technology  
 60 | industry in this state appointed by the Governor ~~The chief~~  
 61 | ~~information officer in the State Technology Office.~~

62 |       (b) The director of the Office of Tourism, Trade, and  
 63 | Economic Development in the Executive Office of the Governor.

64 |       (c) The president of Workforce Florida, Inc.

65 |       (d) The director of the Agency for Workforce Innovation.

66 |       (e) The chair of itflorida.com, Inc.

67 |       (f) The Commissioner of Education.

68 | ~~(g) The chair of the Network Access Point of the Americas.~~

69 |       (g)-(h) A representative of the information technology  
 70 | industry in this state appointed by the Speaker of the House of  
 71 | Representatives.

72 |       (h)-(i) A representative of the information technology  
 73 | industry in this state appointed by the President of the Senate.

74 |       (i)-(j) Two members of the House of Representatives, who  
 75 | shall be ex officio, nonvoting members of the council, appointed  
 76 | by the Speaker of the House of Representatives, one of whom  
 77 | shall be a member of the Republican Caucus and the other of whom  
 78 | shall be a member of the Democratic Caucus.

79 |       (j)-(k) Two members of the Senate, who shall be ex officio,  
 80 | nonvoting members of the council, appointed by the President of  
 81 | the Senate, one of whom shall be a member of the Republican  
 82 | Caucus and the other of whom shall be a member of the Democratic  
 83 | Caucus.

84 |       (3) TERMS OF APPOINTED MEMBERS OF COUNCIL; VACANCIES;

85 COMPENSATION OF MEMBERS.--The appointed members of the council  
 86 shall serve an initial term of 1 year commencing July 1, 2007  
 87 ~~2001~~, and ending June 30, 2008 ~~2002~~, and successor appointees  
 88 shall serve a term of 2 years, the first of which shall commence  
 89 July 1, 2008 ~~2002~~, and end June 30, 2010 ~~2004~~. Successive 2-year  
 90 terms shall commence and end on the same schedule in subsequent  
 91 years. Any vacancy in the membership of the council resulting  
 92 from resignation, incapacity, or death shall be filled within 30  
 93 days after the date the vacancy is effective. The appointed  
 94 members of the council shall serve without compensation, but  
 95 such appointees and the other members of the council shall be  
 96 entitled to receive per diem and reimbursement for travel  
 97 expenses as provided in s. 112.061. Payment of such per diem and  
 98 reimbursement of such travel expenses may be made from  
 99 appropriations authorized to be used for such purposes.

100 (4) COUNCIL MEETINGS; ELECTION OF OFFICERS.--The council  
 101 shall conduct its initial meeting by August 1, 2007 ~~2001~~, and  
 102 shall meet thereafter at least once every 90 ~~60~~ days. In its  
 103 initial meeting, the members of the council shall elect a member  
 104 to serve as chair and another to serve as vice chair, each for a  
 105 term of 1 year from the date of the election. Any vacancy in the  
 106 offices of chair and vice chair resulting from resignation,  
 107 incapacity, or death shall be filled by similar election within  
 108 30 days after the date the vacancy is effective.

109 (5) ADMINISTRATIVE AND TECHNICAL SUPPORT; PAYMENT OF  
 110 SUPPORT COSTS.--The Department of Education ~~State Technology~~  
 111 ~~Office~~ shall provide such administrative and technical support  
 112 to the council as is reasonably necessary for the council to

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113 effectively and timely carry out its duties and  
114 responsibilities. All direct and indirect costs of providing  
115 such support and performing the other duties assigned to the  
116 Department of Education ~~State Technology Office~~ related to  
117 design and implementation of the programs authorized by this  
118 section may be paid from appropriations authorized to be used  
119 for such purposes.

120 (6) POWERS AND DUTIES OF COUNCIL.--The council, through  
121 the Department of Education ~~State Technology Office~~, is  
122 authorized and empowered to facilitate the design and  
123 implementation of programs that are aimed at achieving the  
124 objectives and goals stated in this section. The Department of  
125 Education ~~State Technology Office~~ shall present and demonstrate  
126 to the council the design characteristics and functional  
127 elements of each program proposed to be implemented to achieve  
128 the objectives and goals stated in this section and each such  
129 program shall be reviewed and approved by the council before  
130 being implemented. ~~Such programs shall initially be implemented~~  
131 ~~as pilot programs in a minimum of six different areas of the~~  
132 ~~state to develop model programs that are likely to be successful~~  
133 ~~if implemented throughout the state. The areas of the state~~  
134 ~~where the pilot programs are implemented shall be selected by~~  
135 ~~the council with the objectives of testing the merits of the~~  
136 ~~programs in each geographic region of the state and providing~~  
137 ~~equal exposure of the programs to urban and rural communities~~  
138 ~~alike. Implementation of all such pilot and model programs shall~~  
139 ~~be administered by and through the local workforce development~~  
140 ~~boards and each such board shall coordinate and confirm the~~

141 ~~ready availability and timely delivery of all elements of such~~  
142 ~~programs to ensure the highest probability of such programs~~  
143 ~~achieving their intended results.~~

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

146 (a) Maximizing efficient and productive use of existing  
147 facilities, equipment, personnel, programs, and funds available  
148 from federal, state, and local government agencies and from any  
149 private person or entity.

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

153 (c) Developing viable partnerships between public agencies  
154 and private persons and entities based on mutual commitment to  
155 responsible and dedicated participation in designing and  
156 implementing the programs authorized by this section.

157 (d) Recruiting, enrolling, retaining, and graduating as  
158 many at-risk family members as feasible to ensure that they have  
159 reasonable opportunities to obtain access to frequent use of  
160 information technology and the education and training necessary  
161 to competitively qualify them for high-skill, high-wage  
162 employment.

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

166 (f) Reducing the number of underemployed and unemployed  
167 members of at-risk families through educational initiatives.

168 (g) Using information technology to facilitate achievement

169 of the Sunshine State Standards by all children enrolled in the  
 170 state's K-12 school system who are members of at-risk families.

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

175 (i) Using information technology to enable members of at-  
 176 risk families who are no longer enrolled in K-12 schools to  
 177 obtain the education needed to achieve successful completion of  
 178 general education development test preparation to earn a high  
 179 school diploma, an applied technology diploma, a career  
 180 certificate, an associate of arts degree, or a baccalaureate  
 181 degree.

182 (j) Bridge the digital divide in developing a competitive  
 183 workforce to meet the employment needs of state-based  
 184 information technology businesses and establish this state as  
 185 having the most information technology ready workforce in the  
 186 western hemisphere.

187 (8) MONITORING, REVIEWING, AND EVALUATING PROGRAM  
 188 PERFORMANCES; REPORTING RESULTS.--The council, through the  
 189 Department of Education ~~State Technology Office~~, shall  
 190 continually monitor, review, and evaluate the progress of  
 191 performances realized from implementation of the programs  
 192 authorized by this section. The Department of Education ~~State~~  
 193 ~~Technology Office~~ shall prepare and submit a report to the  
 194 council at least 10 days before each of its meetings subsequent  
 195 to its initial meeting and each such report shall, at a minimum,  
 196 identify and describe the functional elements of each program

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197 being implemented and identify and describe the facilities,  
198 equipment, personnel, programs, and funds used to design and  
199 implement the program. For each such program, the report shall  
200 also identify by name, address, age, and sex the school-age  
201 children, and their older siblings and parents, who are enrolled  
202 in the program; state the educational level achieved by each  
203 enrollee as of the date he or she enrolled in the program; state  
204 the attendance and achievement level recorded for each enrollee  
205 in the program; evaluate the progress each enrollee is making  
206 toward successful completion of the program; and identify by  
207 name, address, age, and sex each enrollee who successfully  
208 completes the program. For each such program that is designed to  
209 prepare enrollees for high-skill, high-wage employment, the  
210 report shall identify each enrollee who successfully completes  
211 the program; describe each such employment position for which  
212 each enrollee has applied; identify by name, address, and nature  
213 of business each employer based in this state to whom each such  
214 application for employment has been addressed; state the results  
215 each enrollee obtained from making each such application; and  
216 describe the nature of any employment obtained and terms of  
217 compensation being earned from such employment by each enrollee  
218 as a result of making such applications.

219 (9) ANNUAL REPORT.--By March 1, 2008 ~~2002~~, the council,  
220 through the Department of Education ~~State Technology Office~~,  
221 shall report to the Executive Office of the Governor, the  
222 Speaker of the House of Representatives, and the President of  
223 the Senate the results of the council's monitoring, reviewing,  
224 and evaluating such programs since their inception and the



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225 | council's recommendations as to whether such programs should be  
226 | continued and expanded to achieve the objectives and goals  
227 | stated in this section.

228 |       Section 2. This act shall take effect July 1, 2007.