

By Senator Wilson

33-859-07

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

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14 Be It Enacted by the Legislature of the State of Florida:  
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16           Section 1. Section 445.049, Florida Statutes, is  
17 amended to read:

18           445.049 Digital Divide Council.--

19           (1) LEGISLATIVE FINDINGS AND INTENT.--The Legislature  
20 finds as follows:

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

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

1 (c) Families that are living near or below the poverty  
2 level are without adequate economic resources to have  
3 reasonable opportunities to obtain frequent access to use of  
4 information technology or the education and training necessary  
5 to acquire the knowledge and skills required to become  
6 competitively qualified for high-skill, high-wage employment.

7 (d) The absence of such economic resources divides  
8 such families from those who have adequate economic resources  
9 to have such opportunities, places such families at risk of  
10 never realizing their employment and income earning potential,  
11 and prevents the state's economy from prospering to the extent  
12 possible if such families realized their employment and income  
13 earning potential.

14 (e) The divide between the members of such at-risk  
15 families and those who have adequate economic resources to  
16 have reasonable opportunities to obtain access to frequent use  
17 of information technology and the education and training  
18 necessary to acquire the knowledge and skills required to  
19 become competitively qualified for high-skill, high-wage  
20 employment could be reduced, and the economy of the state  
21 could be enhanced, by designing and implementing programs that  
22 provide such opportunities to members of such at-risk  
23 families.

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25 It is the intent of the Legislature to provide the authority  
26 and resources reasonably necessary to facilitate design and  
27 implementation of such programs.

28 (2) DIGITAL DIVIDE COUNCIL.--The Digital Divide  
29 Council is created in the Department of Education State  
30 ~~Technology Office~~. The council shall consist of:  
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1           (a) A representative from the information technology  
2 industry in this state appointed by the Governor ~~The chief~~  
3 ~~information officer in the State Technology Office.~~

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

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

7           (d) The director of the Agency for Workforce  
8 Innovation.

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

10          (f) The Commissioner of Education.

11          ~~(g) The chair of the Network Access Point of the~~  
12 ~~Americas.~~

13          (g)(h) A representative of the information technology  
14 industry in this state appointed by the Speaker of the House  
15 of Representatives.

16          (h)(i) A representative of the information technology  
17 industry in this state appointed by the President of the  
18 Senate.

19          (i)(j) Two members of the House of Representatives,  
20 who shall be ex officio, nonvoting members of the council,  
21 appointed by the Speaker of the House of Representatives, one  
22 of whom shall be a member of the Republican Caucus and the  
23 other of whom shall be a member of the Democratic Caucus.

24          (j)(k) Two members of the Senate, who shall be ex  
25 officio, nonvoting members of the council, appointed by the  
26 President of the Senate, one of whom shall be a member of the  
27 Republican Caucus and the other of whom shall be a member of  
28 the Democratic Caucus.

29           (3) TERMS OF APPOINTED MEMBERS OF COUNCIL; VACANCIES;  
30 COMPENSATION OF MEMBERS.--The appointed members of the council  
31 shall serve an initial term of 1 year commencing July 1, 2007

1 ~~2001~~, and ending June 30, 2008 ~~2002~~, and successor appointees  
2 shall serve a term of 2 years, the first of which shall  
3 commence July 1, 2008 ~~2002~~, and end June 30, 2010 ~~2004~~.  
4 Successive 2-year terms shall commence and end on the same  
5 schedule in subsequent years. Any vacancy in the membership of  
6 the council resulting from resignation, incapacity, or death  
7 shall be filled within 30 days after the date the vacancy is  
8 effective. The appointed members of the council shall serve  
9 without compensation, but such appointees and the other  
10 members of the council shall be entitled to receive per diem  
11 and reimbursement for travel expenses as provided in s.  
12 112.061. Payment of such per diem and reimbursement of such  
13 travel expenses may be made from appropriations authorized to  
14 be used for such purposes.

15 (4) COUNCIL MEETINGS; ELECTION OF OFFICERS.--The  
16 council shall conduct its initial meeting by August 1, 2007  
17 ~~2001~~, and shall meet thereafter at least once every 90 ~~60~~  
18 days. In its initial meeting, the members of the council shall  
19 elect a member to serve as chair and another to serve as vice  
20 chair, each for a term of 1 year from the date of the  
21 election. Any vacancy in the offices of chair and vice chair  
22 resulting from resignation, incapacity, or death shall be  
23 filled by similar election within 30 days after the date the  
24 vacancy is effective.

25 (5) ADMINISTRATIVE AND TECHNICAL SUPPORT; PAYMENT OF  
26 SUPPORT COSTS.--The Department of Education ~~State Technology~~  
27 ~~Office~~ shall provide such administrative and technical support  
28 to the council as is reasonably necessary for the council to  
29 effectively and timely carry out its duties and  
30 responsibilities. All direct and indirect costs of providing  
31 such support and performing the other duties assigned to the

1 ~~Department of Education State Technology Office~~ related to  
2 design and implementation of the programs authorized by this  
3 section may be paid from appropriations authorized to be used  
4 for such purposes.

5 (6) POWERS AND DUTIES OF COUNCIL.--The council,  
6 through the Department of Education State Technology Office,  
7 is authorized and empowered to facilitate the design and  
8 implementation of programs that are aimed at achieving the  
9 objectives and goals stated in this section. The Department of  
10 Education State Technology Office shall present and  
11 demonstrate to the council the design characteristics and  
12 functional elements of each program proposed to be implemented  
13 to achieve the objectives and goals stated in this section and  
14 each such program shall be reviewed and approved by the  
15 council before being implemented. ~~Such programs shall~~  
16 ~~initially be implemented as pilot programs in a minimum of six~~  
17 ~~different areas of the state to develop model programs that~~  
18 ~~are likely to be successful if implemented throughout the~~  
19 ~~state. The areas of the state where the pilot programs are~~  
20 ~~implemented shall be selected by the council with the~~  
21 ~~objectives of testing the merits of the programs in each~~  
22 ~~geographic region of the state and providing equal exposure of~~  
23 ~~the programs to urban and rural communities alike.~~  
24 ~~Implementation of all such pilot and model programs shall be~~  
25 ~~administered by and through the local workforce development~~  
26 ~~boards and each such board shall coordinate and confirm the~~  
27 ~~ready availability and timely delivery of all elements of such~~  
28 ~~programs to ensure the highest probability of such programs~~  
29 ~~achieving their intended results.~~

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

4           (a) Maximizing efficient and productive use of  
5 existing facilities, equipment, personnel, programs, and funds  
6 available from federal, state, and local government agencies  
7 and from any private person or entity.

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

11           (c) Developing viable partnerships between public  
12 agencies and private persons and entities based on mutual  
13 commitment to responsible and dedicated participation in  
14 designing and implementing the programs authorized by this  
15 section.

16           (d) Recruiting, enrolling, retaining, and graduating  
17 as many at-risk family members as feasible to ensure that they  
18 have reasonable opportunities to obtain access to frequent use  
19 of information technology and the education and training  
20 necessary to competitively qualify them for high-skill,  
21 high-wage employment.

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

25           (f) Reducing the number of underemployed and  
26 unemployed members of at-risk families through educational  
27 initiatives.

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

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

6           (i) Using information technology to enable members of  
7 at-risk families who are no longer enrolled in K-12 schools to  
8 obtain the education needed to achieve successful completion  
9 of general education development test preparation to earn a  
10 high school diploma, an applied technology diploma, a career  
11 certificate, an associate of arts degree, or a baccalaureate  
12 degree.

13           (j) Bridge the digital divide in developing a  
14 competitive workforce to meet the employment needs of  
15 state-based information technology businesses and establish  
16 this state as having the most information technology ready  
17 workforce in the western hemisphere.

18           (8) MONITORING, REVIEWING, AND EVALUATING PROGRAM  
19 PERFORMANCES; REPORTING RESULTS.--The council, through the  
20 Department of Education ~~State Technology Office~~, shall  
21 continually monitor, review, and evaluate the progress of  
22 performances realized from implementation of the programs  
23 authorized by this section. The Department of Education ~~State~~  
24 ~~Technology Office~~ shall prepare and submit a report to the  
25 council at least 10 days before each of its meetings  
26 subsequent to its initial meeting and each such report shall,  
27 at a minimum, identify and describe the functional elements of  
28 each program being implemented and identify and describe the  
29 facilities, equipment, personnel, programs, and funds used to  
30 design and implement the program. For each such program, the  
31 report shall also identify by name, address, age, and sex the

1 school-age children, and their older siblings and parents, who  
2 are enrolled in the program; state the educational level  
3 achieved by each enrollee as of the date he or she enrolled in  
4 the program; state the attendance and achievement level  
5 recorded for each enrollee in the program; evaluate the  
6 progress each enrollee is making toward successful completion  
7 of the program; and identify by name, address, age, and sex  
8 each enrollee who successfully completes the program. For each  
9 such program that is designed to prepare enrollees for  
10 high-skill, high-wage employment, the report shall identify  
11 each enrollee who successfully completes the program; describe  
12 each such employment position for which each enrollee has  
13 applied; identify by name, address, and nature of business  
14 each employer based in this state to whom each such  
15 application for employment has been addressed; state the  
16 results each enrollee obtained from making each such  
17 application; and describe the nature of any employment  
18 obtained and terms of compensation being earned from such  
19 employment by each enrollee as a result of making such  
20 applications.

21 (9) ANNUAL REPORT.--By March 1, 2008 ~~2002~~, the  
22 council, through the Department of Education ~~State Technology~~  
23 ~~Office~~, shall report to the Executive Office of the Governor,  
24 the Speaker of the House of Representatives, and the President  
25 of the Senate the results of the council's monitoring,  
26 reviewing, and evaluating such programs since their inception  
27 and the council's recommendations as to whether such programs  
28 should be continued and expanded to achieve the objectives and  
29 goals stated in this section.

30 Section 2. This act shall take effect July 1, 2007.  
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SENATE SUMMARY

Recreates the Digital Divide Council in the Department of Education. Provides for members. Provides for terms of members. Requires an initial meeting and meetings at least once every 90 days thereafter. Deletes provisions for pilot programs. Provides objectives for the council. Provides for an annual report.