

AMENDED IN SENATE AUGUST 4, 2008

AMENDED IN ASSEMBLY MAY 23, 2008

AMENDED IN ASSEMBLY APRIL 1, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 2471

Introduced by Assembly Member Karnette
(Principal coauthor: Assembly Member Dymally)
(Coauthor: Assembly Member Portantino)
(Coauthor: Senator Torlakson)

February 21, 2008

An act to add and repeal Chapter 9.6 (commencing with Section 8770) of Division 1 of Title 2 of the Government Code, relating to arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2471, as amended, Karnette. Digital Arts Studio Partnership and Workforce Program Act.

Existing law generally provides for various youth development programs in the state.

This bill, until January 1, 2013, would establish the Digital Arts Studio Partnership and Workforce Program (DASP) to train youth in digital technology skills. It would require the program to be administered by the Governor's office according to specified criteria and subject to the availability of funding for that purpose. It would require the office, as the host agency for the program, to contract with a nonprofit corporation meeting prescribed criteria to implement the program. The bill would require the Governor's office to establish an interagency agreement among various entities, and would require representatives from those entities to meet at least twice annually and to perform various duties

with regard to the program. The bill would require the Governor’s office to report to the Legislature annually on the program beginning March 1, 2010.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The youth of California are the primary beneficiaries of
4 digital media technology development because this technology is
5 the foundation of social relations, intellectual development,
6 workforce development, and exploration and understanding of
7 their world.

8 (b) Currently, the training and educating of our youth in the
9 entire field of digital literacy, media arts, and communications
10 technology is often absent, isolated, fragmented, marginalized,
11 and underdeveloped in schools, industry, and the community.

12 (c) There is a need to ensure the availability of, and full access
13 to, innovative and career-quality digital arts training and tools, and
14 their dissemination to secondary school youth and educators.
15 Reinforcing basic and advanced skills in, and knowledge of, digital
16 literacy, media arts, and aesthetics applications will serve as a
17 means of improving the quality of education, digital literacy, and
18 workforce and community development offered in California.

19 (d) The understanding of the scope and nature of the field of
20 digital literacy, media arts, and telecommunications technology is
21 underdeveloped, and lacks cohesion and coherence.

22 (e) Educating and training our youth in digital media arts
23 technology will lead to careers in that field, thus contributing to a
24 stronger state economy through meeting vital employer sector
25 needs.

26 (f) The establishment of a coordinated and networked regional
27 training and service model will enable our youth to obtain
28 competencies and skills and to pursue career paths in digital media
29 and telecommunications technology.

30 (g) There is a demonstrable need for high-quality media
31 communication tools and products in the community nonprofit
32 sector in order for that sector to accomplish its mission.

1 (h) Youth interconnectivity is benefited by access to, and
2 mastery of, emerging digital media technology, leading to improved
3 self-determination, self-empowerment, civic contributions, and
4 cultural harmony in our society.

5 (i) The manufacture, entertainment, and system design elements
6 of the digital media communication industries define the future of
7 interrelationships in California in the 21st century and, as such,
8 play an unparalleled and compelling role in the education,
9 workforce development, and economic future of California.

10 (j) Therefore, it is the intent of the Legislature in enacting this
11 act to develop comprehensive, community-based, public and
12 private statewide and regional partnerships that are the result of a
13 systematic planning process that includes strategies aimed at
14 linking existing programs providing technology training or services,
15 or both, to youth, promoting instructor professional development
16 and networking, and establishing active involvement and support
17 of private industry.

18 SEC. 2. Chapter 9.6 (commencing with Section 8770) is added
19 to Division 1 of Title 2 of the Government Code, to read:

20
21 CHAPTER 9.6. DIGITAL ARTS STUDIO PARTNERSHIP AND
22 WORKFORCE PROGRAM ACT
23

24 8770. This chapter shall be known and may be cited as the
25 Digital Arts Studio Partnership and Workforce Program Act.

26 8771. For the purposes of this chapter, the following definitions
27 shall apply:

28 (a) “DASP” or “program” means the Digital Arts Studio
29 Partnership and Workforce Program established pursuant to Section
30 8772.

31 (b) “Host agency” means the office of the Governor.

32 (c) “Interagency agreement” means the formal agreement
33 established to empower collaborative relationships between
34 participating education agencies and the other designated entities
35 to implement the essential cooperation and resource sharing
36 required to effect the paradigm shift in this chapter.

37 (d) “State Digital Arts Studio Partnership and Workforce
38 Organization” means a nonprofit corporation that meets the criteria
39 of Section 8774 and that has been approved by, and contracts with,

1 the host agency for implementation of the program at a statewide
2 level.

3 (e) “Regional DASP organization” means a regional nonprofit
4 corporation that has been approved by the host agency and
5 contracts with a nonprofit corporation as described in Section 8774
6 for implementation of the program at a local level.

7 (f) “Satellite studio” means an organization that coordinates in
8 reporting, planning, and event operations between the hub and
9 primary regional DASP organizations, and that meets all of the
10 following criteria:

11 (1) It can provide state-of-the-art digital media arts consultative
12 and support services to at least five of the media ateliers or clubs.

13 (2) It can provide computers, video, audio, or other digital media
14 software and digital studio production and postproduction
15 equipment onsite and offsite.

16 (3) It can successfully produce and deliver media—message
17 messages to a potentially large offsite audience via cable television,
18 *Internet* Web site, broadcast, wireless communication, or ~~LPFM~~
19 *low power FM (LPFM)* radio, or other means of electronic message
20 distribution.

21 (4) It has specific training programs and curriculum designed
22 for youth aged 13 to 22 years, inclusive, and adult mentors.

23 (g) “Hub” means a facility that is contracted by the regional
24 DASP organization to provide the full range of state-of-the-art
25 tools and studio space, including computers, video, audio, or other
26 digital media software and production equipment onsite or offsite,
27 and that meets both of the following criteria:

28 (1) It can successfully deliver media messages to a potentially
29 large offsite audience via cable television, *Internet* Web site,
30 broadcast, wireless communication, or LPFM radio, or other means
31 of mass audience electronic message distribution.

32 (2) It offers regional training programs and curriculum
33 coordination with industry and postsecondary institutions for
34 emerging digital arts technology designed for young people and
35 their adult mentors in an afterschool or extended schoolday type
36 program for workforce development.

37 (h) “Media atelier or club” means a neighborhood program,
38 facility, or classroom that meets all of the following criteria:

39 (1) It is a dedicated digital media arts environment that can
40 provide afterschool or extended schoolday digital media arts

1 training activities for young people interested in mastery and
2 knowledge of digital media production and opportunities for
3 community service.

4 (2) It can provide computers, video, audio, or other digital media
5 software and production and postproduction equipment and
6 services onsite and offsite.

7 (3) It has adult mentoring and a peer-to-peer support program
8 designed for young people.

9 (4) It agrees to report required program work, fiscal information,
10 and other data in a timely manner to the designated satellite studio
11 or regional DASP organization, to host periodic meetings and
12 media events for young people in close proximity to their homes,
13 and to establish and respect ~~youth-led~~ *youth-led* media association
14 advisory plan input.

15 (i) “Youth” means individuals aged 13 to 22 years, inclusive,
16 unless otherwise specified.

17 8772. (a) The Digital Arts Studio Partnership and Workforce
18 Program, also known as DASP, is hereby established in state
19 government.

20 (b) The purpose of the program is to create voluntary regional
21 public and private partnerships in digital literacy, media arts, and
22 telecommunications technology that will train youth and their
23 mentors in school or community-based regional digital technology
24 programs, in order to expand both academic and vocational
25 pathways to learning and to provide a qualified domestic workforce
26 in communications technology and the arts.

27 8773. (a) The office of the Governor, or a designee of the
28 Governor, shall administer the program, in consultation with the
29 Division of Career Technical Education in the State Department
30 of Education and the Chancellor of the California Community
31 Colleges, and shall serve as the program’s host agency. In
32 administering the program, the host agency shall do all of the
33 following:

34 (1) Develop and administer a master contract with the
35 corporation described in Section 8774.

36 (2) Approve the statewide plan developed pursuant to Section
37 8775.

38 (3) Approve contracts that the nonprofit corporation described
39 in Section 8774 has entered into with at least five and no more
40 than seven regional DASP organizations in the state. Additional

1 regional partnerships may be added contingent upon demonstrated
2 successes in meeting the performance criteria set forth in paragraph
3 (10).

4 (4) Report annually, beginning no later than March 1, 2010, and
5 by that date each subsequent year, on the progress of the program
6 to the Joint Committee on the Arts, the Assembly Committee on
7 Arts, Entertainment, Sports, Tourism, and Internet Media, the
8 Senate Committee on Education, the Assembly Committee on
9 Education, and the Legislative Analyst's Office. The report shall
10 include performance measures, as set forth in paragraph (10), and
11 any other information required by the Legislature.

12 (5) Provide input for the program's annual budget.

13 (6) Approve contracts for assessments or evaluations.

14 (7) Review expenditures for the program.

15 (8) Serve as a cohost, with the contracting corporation, of the
16 program's annual statewide conference.

17 (9) Convene at least one meeting annually of representatives of
18 K-12 education, community colleges, four-year learning
19 institutions, workforce development agencies, including, but not
20 limited to, the Labor and Workforce Development Agency and
21 state and local workforce investment boards, and youth councils,
22 to review the progress the state is making toward meeting the
23 objectives of this chapter. The review shall include, but not be
24 limited to, how the state is working with industry to develop a
25 well-trained workforce in digital media arts and
26 telecommunications technology.

27 (10) Establish performance criteria for evaluating digital arts
28 studio partnerships that include, but are not limited to, the
29 following:

30 (A) Training outcomes.

31 (B) Youth multimedia art products and their exhibition.

32 (C) Digital media and aesthetics curriculum development and
33 dissemination.

34 (D) ~~Afterschool~~ *After-school* instructor recruitment and training.

35 (E) Partnerships with industry and their effectiveness.

36 (F) Youth leadership development.

37 (G) Community service and enhancement.

38 (H) Communication arts growth and achievements.

39 (I) Impact on digital divide challenges.

1 (11) (A) Establish an interagency agreement as a transitional
2 method to provide oversight and guidance among the participating
3 public agencies in implementing the DASP.

4 (B) The participating agencies in the interagency agreement
5 may include, but shall not be limited to, the State Department of
6 Education, the Office of the Chancellor of the California
7 Community Colleges, the Office of the Chancellor of the California
8 State University, the Office of the President of the University of
9 California, the Labor and Workforce Development Agency, the
10 Business, Transportation and Housing Agency, the office of the
11 Lieutenant Governor, the California Film Commission, and the
12 California Arts Council.

13 (C) The agreement shall provide a mechanism for the parties
14 to the agreement to meet, at a minimum, twice each calendar year
15 in order to advise the host agency on policy and to assist in the
16 development of the statewide plan. Policy issues include, but are
17 not limited to, evaluating the needs of the state with respect to
18 emerging technology; establishing allocation priorities for industry
19 sectors, such as entertainment, design, or communications, among
20 others; and convening the program’s annual statewide conference.

21 (b) The office of the Governor shall appoint a staff person to
22 exercise oversight of the duties of the host agency, subject to the
23 availability of funds for the position.

24 (c) The office of the Governor, or the Governor’s designee,
25 shall implement this section only to the extent that funds are
26 appropriated by the Legislature in the annual Budget Act, or other
27 statute, for those purposes.

28 8774. (a) The host agency shall contract with a nonprofit
29 corporation to implement the activities in this chapter. The criteria
30 for selection of the contractor shall include all of the following:

31 (1) The contracting corporation shall be a nonprofit corporation
32 organized under the laws of this state, whose sole responsibility
33 is to implement the program described in this chapter.

34 (2) The contracting corporation shall have the capability to
35 conduct statewide activities.

36 (3) The board of directors of the contracting corporation shall
37 include at least one member from each of the five regional
38 organizations, and at least two youths under 22 years of age.

39 (4) The contracting corporation and its officers shall have a
40 history of work in the area of digital arts, including, but not limited

1 to, convening of statewide conferences, developing policy, and
2 working with industry partners.

3 (5) The contracting corporation shall demonstrate that it has the
4 ability to disseminate curriculum and to assist professional
5 development courses.

6 (6) Colleges, universities, community nonprofits in limited
7 geographic areas, or for-profit corporations, shall not be eligible
8 to contract under this section.

9 (b) The contracting corporation shall have all of the following
10 duties:

11 (1) Developing the statewide plan pursuant to Section 8775, for
12 approval by the host agency.

13 (2) Drafting a master contract for approval by the host agency.

14 (3) Planning and administering all aspects of conferences,
15 forums, and meetings with respect to the statewide program,
16 including the annual statewide DASP conference.

17 (4) Establishing standards and requirements and grant guidelines,
18 processes, and procedures for, and administering contracts with,
19 regional DASP organizations.

20 (5) Overseeing the performance of grantees, including local
21 service providers such as hubs, media ateliers or clubs, satellite
22 studios, and industry partners.

23 (6) Developing policies for the program, subject to approval by
24 the host agency.

25 (7) Developing recommendations for statutory or regulatory
26 changes for the program, subject to approval by the host agency.

27 (8) Meeting regularly with secondary and postsecondary state
28 education leaders.

29 (9) Producing and promoting model curriculum units in digital
30 multimedia technology education for regional DASP organizations.

31 (10) Serving as liaison with applicable state agency advisory
32 panels and private industry sectors.

33 (11) Developing assessment or evaluation contracts for host
34 agency approval.

35 (12) Developing and maintaining an inclusive Internet Web
36 site.

37 (13) Providing necessary data collection and research functions.

38 (14) Administering the day-to-day operations of the statewide
39 program.

1 (15) Submitting an annual report to the host agency detailing
2 the progress made and challenges encountered toward meeting the
3 goals set forth in the statewide plan.

4 (16) Entering into contracts with regional DASP organizations.

5 (c) No appropriation shall be made in the annual Budget Act or
6 other statute for the sole purpose of providing funds required to
7 implement the provisions of this section. However, it is the intent
8 of the Legislature that the nonprofit corporation described in this
9 section may apply for, and utilize existing state resources,
10 including, but not limited to, workforce investment, career technical
11 education, teacher professional development, and funding for arts,
12 media, and related facilities to implement ~~of~~ this section.

13 8775. The statewide plan developed by the contracting
14 corporation shall include all of the following elements:

15 (a) A map of digital programs, to include all of the following:

16 (1) Training targets for each region that enumerate the number
17 of youth and teachers to be trained annually.

18 (2) An assessment of programs in digital media arts in California
19 at the secondary, community college, and four-year educational
20 institutions as well as private or community training agencies.

21 (3) A list of companies or corporations that offer *state-of-the-art*
22 training programs and support for instructors *that may provide*
23 *relations with DASP, including, but not limited to, the following:*

24 (A) *Cash contributions.*

25 (B) *Mentors.*

26 (C) *Resident artists, scientists, designers, or communications*
27 *experts who work in a school or community-based nonprofit*
28 *program that is a program partnership.*

29 (D) *Assistance in vocational and career educational counseling.*

30 (E) *Educational tours and onsite training for youth and mentors.*

31 (F) *Establishment and administration of “junior achievement*
32 *operations” or similar model programs at program partner schools*
33 *or nonprofit community agencies.*

34 (G) *Equipment or tools that are currently on the market or*
35 *emerging into the market.*

36 (H) *Beta testing and training at program sites for new and*
37 *emerging equipment and systems.*

38 (I) *Organizational design, management consultation and*
39 *assistance, curriculum and standards development, public service*
40 *media production, public awareness and outreach assistance, and*

- 1 *Internet Web site development or maintenance with, and for, any*
2 *program partnership.*
- 3 *(J) Media or product exhibition venue and sponsorship*
4 *assistance.*
- 5 *(K) Fundraising and resource development assistance.*
- 6 *(L) Service learning opportunity support and assistance.*
- 7 *(M) Contributions to eliminate digital divide situations and to*
8 *access disparities due to poverty, race, disability, gender, or*
9 *geographic barriers through organizational development and*
10 *system change interventions and resources.*
- 11 *(N) Scholarships.*
- 12 *(O) Sponsorship of program-conducted video, film, Internet,*
13 *audio, or other digital media shows, exhibitions, or competitions*
14 *for students in program partner areas or schools.*
- 15 *(P) Design and development of curriculum at the state and local*
16 *levels.*
- 17 *(Q) Textbooks, software, and technical advice on the way to*
18 *use donated equipment.*
- 19 *(R) Warranties and maintenance on equipment and tools.*
- 20 *(S) Provision of internships, fellowships, job shadowing, and*
21 *seasonal, part-time, or full-time employment opportunities for*
22 *either or both program partnership youth and mentors.*
- 23 *(T) Assistance in advanced educational or employment*
24 *opportunities for program partnership youth and mentors.*
- 25 (b) Industry areas of concentration, including all of the
26 following:
- 27 (1) A description of industry needs by sector, including, but not
28 limited to, digital art and design, manufacturing, software design,
29 and entertainment, as well as other applications in forensics,
30 sciences, health care, agriculture, legal, and other relevant
31 professions that require digital modeling or simulations.
- 32 (2) An inventory and description of programs offered by industry
33 partners, including, but not limited to, internships, mentorships,
34 residencies, executive loan programs, and certification and
35 noncertification training programs.
- 36 (3) Identification of the best practice pathways and approaches
37 to engage all of the investment strategies that DASP industry
38 partners may offer that include using all divisions of a company,
39 including sales and marketing, human resources, philanthropy,
40 and community and government relations entities.

- 1 (c) An education interface, including all of the following:
- 2 (1) An inventory and description of all partner educational
- 3 institutions that sign agreements with the contracting corporation
- 4 or regional DASP organizations.
- 5 (2) An assessment of articulation of educational programs at all
- 6 levels, including, but not limited to, middle school, high school,
- 7 community college, and four-year institutions.
- 8 (3) A description of how to encourage use of the ~~California~~
- 9 ~~Career Technical Education~~ *state's career technical education*
- 10 standards and framework through workshops or assistance made
- 11 available through DASP.
- 12 (4) Other necessary functions that relate to education and digital
- 13 media programs and companies.
- 14 (d) A master contract, including all of the following:
- 15 (1) A definition of regional DASP organizations and designation
- 16 of a minimum of approved regional DASP organizations.
- 17 (2) (A) Execution of an agreement with regional DASP
- 18 organizations that ensures fulfillment of DASP objectives,
- 19 including, but not limited to, the following functions and activities:
- 20 (i) A professional staff development plan for teachers in the
- 21 region by approved agents, and other workshops for teachers in
- 22 using digital arts standards and frameworks.
- 23 (ii) Development of mentorships, internships, and residencies
- 24 in schools.
- 25 (iii) Development of articulation agreements between secondary
- 26 schools, community colleges, and four-year institutions.
- 27 (iv) Convening of open and public regional DASP organization
- 28 board meetings, at least four times annually.
- 29 (v) Selection of regional DASP organization representatives for
- 30 the board of the contracting corporation.
- 31 (vi) Mandatory attendance of staff and board of the regional
- 32 DASP organization at the statewide annual conference.
- 33 (vii) Participation in statewide DASP affinity groups, including,
- 34 but limited to, drafting sessions at the annual statewide conference.
- 35 (viii) Participation in data collection as called for by the
- 36 contracting corporation.
- 37 (ix) Production of multimedia festivals or showcases, or both,
- 38 of youth works.
- 39 (x) Holding career promotion days for youth in the region.
- 40 (xi) Marketing and promoting DASP work for public awareness.

- 1 (xii) Developing grants and related funding support sources.
2 (xiii) Promoting community service projects and coordination
3 with the regional nonprofit organizational sector.
4 (xiv) Recruiting private sector partners, including individuals,
5 companies, and corporations in the field of technology, media,
6 arts, entertainment, Web design, industrial design, communications,
7 and software development for investment and participation in the
8 program.
9 (xv) Recruiting partners among labor unions, professional
10 associations, business associations, nonprofit sector organizations,
11 and relevant workforce government agencies.
12 (B) The execution of agreements with regional DASP
13 organizations shall also ensure that the organizations can achieve
14 all of the following objectives:
15 (i) The capacity to reach a population of at least one million
16 people or collaborate in a regional, multicounty, community-based,
17 coordinated program, or the capacity to broadcast student-produced
18 media, or both.
19 (ii) The capacity and ability to train 500 youths and 100 mentors
20 or instructors annually where feasible. Youths trained shall include
21 youth from low-income families and communities of color, and
22 youth with disabilities.
23 (iii) Where feasible, the ability to provide access for youth,
24 beyond the established schoolday, to state-of-the-art facilities,
25 equipment, and personnel.
26 (iv) The ability to provide expert staff who shall serve as trainers
27 and mentors.
28 (v) The ability to identify underequipped and underserved
29 communities and schools in the targeted region, for purposes of
30 inclusion in the program.
31 (vi) Identify and designate a hub site or organization that can
32 provide necessary production and broadcast facilities for digital
33 media and communications work.
34 (vii) Identify and designate at least four satellite studio sites that
35 can provide technologic equipment to shoot and edit youth media
36 product, with accessibility of a teacher or mentor onsite to assist
37 youth.
38 (viii) Identify and designate necessary additional youth media
39 ateliers or clubs where youth can meet, learn, and work
40 collaboratively on projects.

1 (ix) Development of youth organizations led, to the degree
2 possible, by youth.

3 (3) A description of funds available and the mechanism for
4 funding regional programs.

5 (4) Grant development functions provided by DASP to
6 participating regional DASP organizations.

7 8776. Except as specified with respect to state entities, no part
8 of this chapter shall be construed to apply to any public or private
9 entity that has not agreed to participate in the program.

10 8777. This chapter shall remain in effect only until January 1,
11 2013, and as of that date is repealed, unless a later enacted statute,
12 that is enacted before January 1, 2013, deletes or extends that date.

O