

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 505

Introduced by Senator Jackson

February 21, 2013

An act to amend ~~Section~~ *Sections 11800 and 51874* of the Education Code, relating to education technology.

LEGISLATIVE COUNSEL'S DIGEST

SB 505, as amended, Jackson. ~~The California Technology Assistance Project.~~ *Education technology: K-12 High-Speed Network: California Technology Assistance Project.*

Existing law establishes the K-12 High-Speed Network for the purpose of enriching pupil educational experiences and improving pupil academic performance by providing high-speed, high-bandwidth Internet connectivity to the public schools. Existing law requires the Superintendent of Public Instruction to use a competitive grant process to select a local educational agency to serve as the Lead Education Agency to administer the network on behalf of the Superintendent. Existing law requires the Superintendent to establish a K-12 HSN advisory board. Existing law requires the advisory board, by March 1, 2007, to report to specified entities recommendations for measuring the success of the network, improving network oversight and monitoring, strengthening accountability, and optimizing the use of the network and its ability to improve education. Existing law specifies the duties of the Lead Education Agency with regard to the administration of the network.

This bill would additionally provide for the achievement of the above-stated purpose of the network by providing statewide support services, as specified, to schools and school districts in the implementation of digital learning resources and technology tools as

set forth in the policies of the State Board of Education. The bill would eliminate the use of the competitive grant process in selecting the Lead Education Agency. The bill would require the advisory board to report annually to specified entities its recommendations regarding the network. The bill would specify additional duties of the Lead Education Agency to include entering into contracts to provide identified needs that are more efficiently and effectively provided on a statewide basis and entering into contracts for regional consortia to meet the locally defined educational needs of school districts related to the use of technology. To the extent that this bill would impose additional duties on local educational agencies, the bill would create a state-mandated local program.

Existing law creates the California Technology Assistance Project administered by the State Department of Education to provide a regionalized network of technical assistance to schools and school districts on the implementation of education technology. The California Technology Assistance Project is composed of regional consortia that work collaboratively with school districts and county offices of education to meet locally defined educational needs that can be effectively addressed with the use of technology. Existing law requires the State Board of Education to award grants to fund a school district or county office of education in each region of the California Technology Assistance Project to act as the lead agency to administer the services of that region, specifies duties of the department for this program, and authorizes school districts, county offices of education, and state special schools to participate in grant programs related to education technology. Under existing law, these provisions remain in effect only until January 1, 2014.

This bill would extend that date to January 1, 2017.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 **SECTION 1.** *Section 11800 of the Education Code is amended*
2 *to read:*

3 11800. (a) (1) The K-12 High-Speed Network (K-12 HSN)
4 is hereby established for the purpose of enriching pupil educational
5 experiences and improving pupil academic performance by
6 providing high-speed, high-bandwidth Internet connectivity to the
7 public school system, as defined by Section 6 of Article IX of the
8 California Constitution, *and by providing statewide support*
9 *services to schools and school districts in the implementation of*
10 *digital learning resources and technology tools as set forth in the*
11 *policies of the state board.*

12 (2) The California Education Network is hereby established,
13 consisting of the California Research and Education Network
14 (CalREN) and the K-12 HSN.

15 (b) The Superintendent shall measure the success of the K-12
16 HSN and ensure that the benefits of the K-12 HSN are maximized
17 to the extent possible. The K-12 HSN shall provide critical services
18 and functions for public primary and secondary local educational
19 agencies, including, but not limited to, all of the following:

20 (1) Reliable and cost-effective Internet service.

21 (2) Reliable and secure interconnectivity among public school
22 entities offering kindergarten or any of grades 1 to 12, inclusive,
23 in California, connection to higher education institutions of
24 California, and connection to state and local agencies to facilitate
25 efficient interaction, including transmission of data.

26 (3) Videoconferencing and related distance learning capabilities.

27 (4) Statewide coordination of ~~network uses to support services~~
28 *that benefit teaching and learning with the common core standards*
29 *and in support of the computer-adaptive assessment system adopted*
30 *by the state board.*

31 ~~(e) The Superintendent shall use a competitive grant process to~~
32 ~~select a local educational agency to serve as the Lead Education~~
33 ~~Agency to administer the K-12 HSN on behalf of the~~
34 ~~Superintendent.~~

35 (c) *Funding shall be provided in the annual Budget Act to the*
36 *K-12 HSN to provide centralized statewide educational technology*
37 *services that address regional and statewide needs and are more*
38 *efficiently and effectively provided or coordinated on a statewide*

1 *basis to support the common core standards and computer-adaptive*
2 *assessments implemented by the state board. The statewide*
3 *educational technology services to be supported include, but are*
4 *not limited to, all of the following:*

5 (1) *Review of electronic learning resources, including, but not*
6 *limited to, software, online resources, online courses, and video,*
7 *for alignment with the common core standards adopted by the*
8 *state board.*

9 (2) *Professional development focused on digital school*
10 *leadership for educational administrators in the areas of*
11 *data-driven decisionmaking, computer-adaptive testing, digital*
12 *teaching and learning with the common core standards curriculum,*
13 *technology planning, professional development needs of staff,*
14 *financial planning for technology, and operations and*
15 *maintenance.*

16 (3) *Access for schools for training, support, and other resources*
17 *for technical professionals in California.*

18 (4) *Statewide coordination of a regional assistance program to*
19 *provide technical assistance to schools and school districts in the*
20 *implementation of digital learning resources and tools.*

21 (d) The Superintendent shall ~~establish~~ *maintain* a K-12 HSN
22 advisory board to be composed of all of the following members:

23 (1) The Superintendent, or his or her designee.

24 (2) The county superintendent of schools of the Lead Education
25 Agency.

26 (3) A county superintendent of schools of a county with an
27 average daily attendance of more than 60,000 pupils, appointed
28 by the Superintendent. The member appointed pursuant to this
29 paragraph shall serve a renewable two-year term.

30 (4) Three school district superintendents, appointed by the
31 Superintendent. Members appointed pursuant to this paragraph
32 shall represent school districts that are diverse as to geography and
33 size, and that serve socioeconomically and culturally diverse pupil
34 populations. Members appointed pursuant to this paragraph shall
35 serve renewable two-year terms.

36 (5) Two county superintendents of schools appointed by the
37 majority of the votes of all of the county superintendents of schools.
38 Members appointed pursuant to this paragraph shall serve
39 renewable two-year terms.

1 (6) Three schoolsite representatives, which shall include not
2 less than two classroom teachers or instructional specialists.

3 (7) The president of the state board or his or her designee.

4 (e) The advisory board shall meet quarterly and shall recommend
5 policy direction and broad operational guidance to the
6 Superintendent and the Lead Education Agency. The advisory
7 board, in consultation with the Lead Education Agency, shall
8 develop recommendations for measuring the success of the
9 network, improving network oversight and monitoring,
10 strengthening accountability, and optimizing the use of the K-12
11 HSN and its ability to improve education. The advisory board shall
12 report *annually* its recommendations to the Legislature, the
13 Governor, the Department of Finance, the president of the state
14 board or his or her designee, and the Legislative Analyst's Office
15 by ~~March 1, 2007~~. It is the intent of the Legislature that the report
16 identify and recommend specific annual performance measures
17 that should be established to assess the effectiveness of the
18 network.

19 (f) The duties of the Lead Education Agency shall include all
20 of the following:

21 (1) Entering into appropriate contracts for the provision of
22 high-speed, high-bandwidth Internet connectivity, provided such
23 contracts secure the necessary terms and conditions to adequately
24 protect the interests of the state. Terms and conditions shall include,
25 but are not limited to, all of the following:

26 (A) Development of comprehensive service level agreements.

27 (B) Protection of any ownership rights of intellectual property
28 of the state that result due to participation of the state in the K-12
29 HSN.

30 (C) Appropriate protection of assets of the state acquired due
31 to its participation in the K-12 HSN.

32 (D) Assurance that appropriate fee structures are in place.

33 (E) Assurance that any interest earned on funds of the state for
34 this purpose are used solely to the benefit of the project.

35 (2) Development of an annual budget request for the K-12 HSN
36 for submission to the department and the Department of Finance
37 to be included in the annual Budget Act.

38 (3) Development, in consultation with the advisory board
39 established pursuant to subdivision (d), of specific goals and
40 objectives for the program with appropriate reporting of success

1 measures developed by the Superintendent pursuant to subdivision
2 (b).

3 (4) Ongoing fiscal oversight of the program, including
4 mechanisms to control statewide costs and exposure. To
5 accomplish this objective, the Lead Education Agency shall
6 contract for an annual independent audit of the program. The
7 independent auditor shall report the audit findings to the
8 Superintendent, the Legislature, and the Governor by December
9 15 of each year.

10 ~~(5) Ongoing technical oversight of the program, including~~
11 ~~external evaluation and independent validation, where appropriate.~~
12 ~~To accomplish this objective, the Lead Education Agency shall~~
13 ~~contract for an independent evaluation to be completed and~~
14 ~~provided to the Superintendent by March 1, 2009. The~~
15 ~~Superintendent shall report the results of the evaluation, including~~
16 ~~a response and recommendations to correct any adverse findings~~
17 ~~from the evaluation, to the Governor and the Legislature by April~~
18 ~~30, 2009.~~

19 ~~(6)~~

20 (5) (A) The Lead Education Agency shall administer grant
21 programs to promote the most cost-effective manner for the
22 completion of connectivity for all public schools of the state and
23 cost-effective applications that meet instructional needs to the
24 extent that funds are provided for these purposes in the annual
25 Budget Act.

26 (B) Before the appropriation of any state funds for the purposes
27 of this paragraph, the Lead Education Agency shall submit
28 information justifying the need for additional grant funds,
29 including, but not limited to, all of the following:

30 (i) The number of schools and school districts that are already
31 connected.

32 (ii) The means by which the costs associated with connectivity
33 were covered for schools and school districts that are already
34 connected.

35 (iii) Obstacles to connection for those schools and school
36 districts that are not yet connected.

37 (iv) Other local options and funding sources for purposes of
38 connectivity and applications.

39 (6) *Entering into appropriate contracts to provide identified*
40 *needs that are more efficiently and effectively provided on a*

1 statewide basis. The statewide education technology services to
2 be supported by this section shall include, but are not limited to,
3 all of the following:

4 (A) Review of electronic learning resources, including, but not
5 limited to, software, online resources, online courses, and video,
6 for alignment with the common core standards adopted by the
7 state board.

8 (B) Professional development focused on digital school
9 leadership for educational administrators in the areas of
10 data-driven decisionmaking, integrating technology into
11 standards-based curriculum, technology planning, professional
12 development needs of staff, financial planning for technology, and
13 operations and maintenance.

14 (C) Access for schools for training, support, and other resources
15 for technical professionals in California.

16 (7) Entering into appropriate contracts for regional consortia
17 to meet the locally defined educational needs of school districts
18 as they address common core standards curriculum and
19 computer-adaptive assessments that can be addressed effectively
20 with the use of technology, including, but not limited to, the
21 following areas:

22 (A) Professional development.

23 (B) Electronic learning resources.

24 (C) Hardware.

25 (D) Telecommunication infrastructure.

26 (E) Technical assistance to school districts in developing a
27 support system to operate and maintain an education technology
28 infrastructure, including improving pupil recordkeeping and
29 tracking related to pupil instruction.

30 (F) Coordination with, and support for, the funding and
31 implementation of federal, state, and local programs.

32 (G) Funding.

33 (H) Technical assistance and information to support access,
34 planning, and the use of high-speed telecommunication networks.

35 (I) Technology planning and implementation assistance to rural
36 and technologically underserved school districts and county offices
37 of education.

38 **SECTION 1.**

39 **SEC. 2.** Section 51874 of the Education Code is amended to
40 read:

1 51874. Sections 51871, 51872, 51873, this section, and the
2 heading of this article shall remain in effect only until January 1,
3 2017, and as of that date are repealed, unless a later enacted statute,
4 that is enacted before January 1, 2017, deletes or extends that date.

5 *SEC. 3. If the Commission on State Mandates determines that*
6 *this act contains costs mandated by the state, reimbursement to*
7 *local agencies and school districts for those costs shall be made*
8 *pursuant to Part 7 (commencing with Section 17500) of Division*
9 *4 of Title 2 of the Government Code.*

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