

AMENDED IN SENATE MAY 15, 2013
AMENDED IN SENATE APRIL 24, 2013
AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 505

Introduced by Senator Jackson

February 21, 2013

An act to amend ~~Section 11800~~ Sections 47634.4, 51871, 51872, 51874, 52270, 78910.10, and 78910.15 of, and to repeal Section 52295.55 of, the Education Code, relating to education technology.

LEGISLATIVE COUNSEL'S DIGEST

SB 505, as amended, Jackson. Education ~~technology: K-12 High-Speed Network~~ technology.

(1) Existing law creates, until January 1, 2014, 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. Existing law requires grant funding to be provided through the annual Budget Act.

This bill would instead require county offices of education to provide technical assistance to schools and school districts on the

implementation of education technology. The bill would instead require county offices of education to work collaboratively with school districts to meet locally defined educational needs that can be effectively addressed with the use of technology. The bill would provide that these provisions would remain in effect until January 1, 2019. To the extent that the bill would impose additional duties on county offices of education, the bill would create a state-mandated local program.

(2) Existing law requires the State Department of Education to administer specified provisions governing education technology and authorizes school districts, county offices of education, and state special schools to apply to the State Board of Education to participate in grant programs related to education technology. Existing law requires funding to be provided through the annual Budget Act to the Superintendent of Public Instruction to provide centralized statewide educational technology services that address locally defined needs and are more efficiently and effectively provided on a statewide basis. Under existing law, these provisions remain in effect until January 1, 2014.

This bill would instead provide that these provisions would remain in effect until January 1, 2019.

~~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, among other things, 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.~~

(3) This bill would also make nonsubstantive and conforming changes.

(4) 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: yes.

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

1 *SECTION 1. Section 47634.4 of the Education Code is amended*
2 *to read:*

3 47634.4. (a) A charter school that elects to receive its funding
4 directly, pursuant to Section 47651, may apply individually for
5 federal and state categorical programs, not excluded in this section,
6 but only to the extent it is eligible for funding and meets the
7 provisions of the program. For purposes of determining eligibility
8 for, and allocation of, state or federal categorical aid, a charter
9 school that applies individually shall be deemed to be a school
10 district, except as otherwise provided in this chapter.

11 (b) A charter school that does not elect to receive its funding
12 directly, pursuant to Section 47651, may, in cooperation with its
13 chartering authority, apply for federal and state categorical
14 programs not specified in this section, but only to the extent it is
15 eligible for funding and meets the provisions of the program.

16 (c) Notwithstanding any other provision of law, for the 2006–07
17 fiscal year and each fiscal year thereafter, a charter school may

1 not apply directly for categorical programs for which services are
2 exclusively or almost exclusively provided by a county office of
3 education.

4 (d) Consistent with subdivision (c), a charter school may not
5 receive direct funding for any of the following county-administered
6 categorical programs:

7 (1) American Indian Education Centers.

8 (2) The California Association of Student Councils.

9 ~~(3) California Technology Assistance Project established~~
10 ~~pursuant to Article 15 (commencing with Section 51870) of~~
11 ~~Chapter 5 of Part 28.~~

12 ~~(4)~~

13 (3) The Center for Civic Education.

14 ~~(5)~~

15 (4) County Office Fiscal Crisis and Management Assistance
16 Team.

17 ~~(6)~~

18 (5) The K–12 High Speed Network.

19 (e) A charter school may apply separately for district-level or
20 school-level grants associated with any of the categorical programs
21 specified in subdivision (d).

22 (f) Notwithstanding any other provision of law, for the 2006–07
23 fiscal year and each fiscal year thereafter, in addition to the
24 programs listed in subdivision (d), a charter school may not apply
25 for any of the following categorical programs:

26 (1) Agricultural Career Technical Education Incentive Program,
27 as set forth in Article 7.5 (commencing with Section 52460) of
28 Chapter 9 of Part 28.

29 (2) Bilingual Teacher Training Assistance Program, as set forth
30 in Article 4 (commencing with Section 52180) of Chapter 7 of
31 Part 28.

32 (3) California Peer Assistance and Review Program for
33 Teachers, as set forth in Article 4.5 (commencing with Section
34 44500) of Chapter 3 of Part 25.

35 ~~(4) College preparation programs, as *The college preparation*~~
36 ~~*program* set forth in Chapter 12 (commencing with Section 11020)~~
37 ~~of Part 7, Chapter 8.3 (commencing with Section 52240) of Part~~
38 ~~28, and Chapter 8 (commencing with Section 60830) of Part 33.~~

39 (5) Foster youth programs pursuant to Chapter 11.3
40 (commencing with Section 42920) of Part 24.

- 1 (6) Gifted and talented pupil programs pursuant to Chapter 8
2 (commencing with Section 52200) of Part 28.
- 3 (7) Home-to-school transportation programs, as set forth in
4 Article 2 (commencing with Section 39820) of Chapter 1 of Part
5 23.5 and Article 10 (commencing with Section 41850) of Chapter
6 5 of Part 24.
- 7 (8) International Baccalaureate Diploma Program, as set forth
8 in Chapter 12.5 (commencing with Section 52920) of Part 28.
- 9 ~~(9) Mathematics and Reading Professional Development~~
10 ~~Program, as set forth in Article 3 (commencing with Section 99230)~~
11 ~~of Chapter 5 of Part 65.~~
- 12 ~~(10) Principal Training Program, as set forth in Article 4.6~~
13 ~~(commencing with Section 44510) of Chapter 3 of Part 25.~~
- 14 ~~(11)~~
- 15 (9) Professional Development Block Grant, as set forth in Article
16 5 (commencing with Section 41530) of Chapter 3.2 of Part 24.
- 17 ~~(12)~~
- 18 (10) Program to Reduce Class Size in Two Courses in Grade 9
19 (formerly The Morgan-Hart Class Size Reduction Act of 1989),
20 as set forth in Chapter 6.8 (commencing with Section 52080) of
21 Part 28.
- 22 ~~(13)~~
- 23 (11) Pupil Retention Block Grant, as set forth in Article 2
24 (commencing with Section 41505) of Chapter 3.2 of Part 24.
- 25 ~~(14)~~
- 26 (12) Reader services for blind teachers, as set forth in Article
27 8.5 (commencing with Section 45370) of Chapter 5 of Part 25.
- 28 ~~(15)~~
- 29 (13) School and Library Improvement Block Grant, as set forth
30 in Article 7 (commencing with Section 41570) of Chapter 3.2 of
31 Part 24.
- 32 ~~(16)~~
- 33 (14) School Safety Consolidated Competitive Grant, as set forth
34 in Article 3 (commencing with Section 41510) of Chapter 3.2 of
35 Part 24.
- 36 ~~(17)~~
- 37 (15) School safety programs, as set forth in Article 3.6
38 (commencing with Section 32228) ~~and Article 3.8 (commencing~~
39 ~~with Section 32239.5) of Chapter 2 of Part 19.~~
- 40 (18)

1 (16) Specialized secondary schools pursuant to Chapter 6
2 (commencing with Section 58800) of Part 31.

3 ~~(19)~~

4 (17) State Instructional Materials Fund, as set forth in Article
5 3 (commencing with Section 60240) of Chapter 2 of Part 33.

6 ~~(20)~~

7 (18) Targeted Instructional Improvement Block Grant, as set
8 forth in Article 6 (commencing with Section 41540) of Chapter
9 3.2 of Part 24.

10 ~~(21)~~

11 (19) Teacher dismissal apportionment, as set forth in Section
12 44944.

13 ~~(22)~~

14 (20) The deferred maintenance program, as set forth in Article
15 1 (commencing with Section 17565) of Chapter 5 of Part 10.5.

16 ~~(23)~~

17 (21) The General Fund contribution to the State Instructional
18 Materials Fund pursuant to Article 3 (commencing with Section
19 60240) of Chapter 2 of Part 33.

20 ~~(24)~~

21 (22) Year-Round School Grant Program, as set forth in Article
22 3 (commencing with Section 42260) of Chapter 7 of Part 24.

23 *SEC. 2. Section 51871 of the Education Code is amended to*
24 *read:*

25 51871. ~~(a) The California Technology Assistance Project shall~~
26 ~~be administered by the State Department of Education to county~~
27 ~~offices of education shall provide a regionalized network of~~
28 technical assistance to schools and school districts on the
29 implementation of education technology as set forth in policies of
30 the State Board of Education. ~~The California Technology~~
31 ~~Assistance Project shall be composed of regional consortia that~~
32 ~~will county offices of education shall work collaboratively with~~
33 school districts ~~and county offices of education~~ to meet locally
34 defined educational needs that can be effectively addressed with
35 the use of technology, including, but not necessarily limited to, all
36 of the following areas:

37 ~~(1)~~

38 (a) Professional development.

39 ~~(2)~~

40 (b) Electronic learning resources.

- 1 ~~(3)~~
- 2 (c) Hardware.
- 3 ~~(4)~~
- 4 (d) Telecommunications infrastructure.
- 5 ~~(5)~~
- 6 (e) Technical assistance to school districts in developing a
- 7 support system to operate and maintain an education technology
- 8 infrastructure, including improving pupil recordkeeping and
- 9 tracking related to pupil instruction.
- 10 ~~(6)~~
- 11 (f) Coordination with and support for the funding and
- 12 implementation of federal, state, and local programs.
- 13 ~~(7)~~
- 14 (g) Funding.
- 15 ~~(8)~~
- 16 (h) Technical assistance and information to support access,
- 17 planning, and the use of high-speed telecommunications networks.
- 18 ~~(9)~~
- 19 (i) Technology planning and implementation assistance to rural
- 20 and technologically underserved school districts and county offices
- 21 of education.
- 22 ~~(b) The State Board of Education shall authorize grants to fund~~
- 23 ~~a school district or county office of education in each region of~~
- 24 ~~the California Technology Assistance Project to act as the lead~~
- 25 ~~agency to administer the services of that region. The term of a~~
- 26 ~~grant awarded pursuant to this section may not exceed three years.~~
- 27 ~~Grant funding may be awarded and received for subsequent terms~~
- 28 ~~of three years as provided in this section. The lead agency shall~~
- 29 ~~be chosen based on the extent to which it provides a plan that~~
- 30 ~~clearly documents or describes all of the following:~~
- 31 ~~(1) Knowledge of technology to improve teaching and learning.~~
- 32 ~~(2) Technology planning and technical assistance.~~
- 33 ~~(3) Proven success in providing professional development in~~
- 34 ~~technology and curriculum integration.~~
- 35 ~~(4) An ability to work collaboratively with school districts,~~
- 36 ~~county offices of education, and businesses in the region.~~
- 37 ~~(5) The ability to deliver services specified in this article to all~~
- 38 ~~school districts and county offices of education in its region.~~
- 39 ~~(6) The support of school districts and county offices of~~
- 40 ~~education for the regional lead agency application in the region.~~

1 ~~(7) The capacity to assist schools to utilize high-speed~~
2 ~~telecommunications networks.~~

3 ~~(8) Specific strategies for documenting and addressing the needs~~
4 ~~of rural schools and technologically underserved school districts~~
5 ~~and county offices of education.~~

6 ~~(9) A plan for evaluating the implementation of, access to, use~~
7 ~~of, and local impact of, the services provided by the region.~~

8 ~~(e) Funding to support the regional education technology~~
9 ~~services provided by the California Technology Assistance Project~~
10 ~~shall be provided through the annual Budget Act. To receive~~
11 ~~funding for the second and subsequent years of a grant awarded~~
12 ~~pursuant to subdivision (b), the lead agency shall submit an annual~~
13 ~~report to the State Board of Education for approval that describes~~
14 ~~the services provided, the persons served, and the funds expended~~
15 ~~for those services in the prior year. School districts and county~~
16 ~~offices of education within the California Technology Assistance~~
17 ~~Project region shall have an opportunity to comment on the report.~~

18 *SEC. 3. Section 51872 of the Education Code is amended to*
19 *read:*

20 51872. (a) The State Department of Education shall administer
21 this article, *except for Section 51871*. The duties of the State
22 Department of Education shall include, but are not necessarily
23 limited to, the following:

24 (1) Assisting the State Board of Education on education
25 technology plans, policies, programs, and activities.

26 (2) Providing for the statewide coordination, planning, and
27 evaluation of education technology programs and resources.

28 (3) Advancing the use of technology in the curriculum and in
29 the administration of elementary and secondary schools.

30 (b) Funding shall be provided through the annual Budget Act
31 to the Superintendent of Public Instruction to provide centralized
32 statewide educational technology services that address locally
33 defined needs and are more efficiently and effectively provided
34 on a statewide basis. The statewide educational technology services
35 to be supported by this statute shall include, but are not limited to,
36 all of the following:

37 (1) Review of electronic learning resources including, but not
38 limited to, software, online resources, and video, for alignment
39 with the content standards adopted by the state board.

1 (2) Professional development focused on digital school
2 leadership for educational administrators in the areas of data-driven
3 decisionmaking, integrating technology into standards-based
4 curriculum, technology planning, professional development needs
5 of staff, financial planning for technology, and operations and
6 maintenance.

7 (3) Access for schools to training, support, and other resources
8 for technical professionals in California.

9 (c) The Superintendent of Public Instruction shall report
10 annually, in writing, to the State Board of Education and the
11 Legislature on the services provided, persons served, and the funds
12 expended for those purposes in the prior year.

13 *SEC. 4. Section 51874 of the Education Code is amended to*
14 *read:*

15 51874. Sections 51871, 51872, 51873, this section, and the
16 heading of this article shall remain in effect only until January 1,
17 ~~2014~~ 2019, and as of that date are repealed, unless a later enacted
18 statute, that is enacted before January 1, ~~2014~~ 2019, deletes or
19 extends that date.

20 *SEC. 5. Section 52270 of the Education Code is amended to*
21 *read:*

22 52270. The Education Technology Grant Program is hereby
23 established to provide one-time grants to school districts and
24 charter schools for purposes of acquiring computers for
25 instructional purposes at public schools. The president of the state
26 board or his or her designee shall administer the application process
27 for the award of grants.

28 (a) The first priority for the use of the funds is to ensure that
29 high school pupils in schools offering three or fewer advanced
30 placement courses have access to advanced placement courses
31 online. Grants awarded for the first priority may be expended to
32 purchase or lease computers and related equipment and for wiring
33 or infrastructure necessary to achieve connectivity to online
34 advanced placement courses.

35 (b) The second priority for the use of the funds is to increase
36 the number of computers available to all other public schools that
37 offer instruction in kindergarten or any of grades 1 to 12, inclusive.
38 Grants awarded for the purposes of the second priority shall be
39 awarded at the school district level and shall be based on a ratio
40 of pupils per computer, as determined by the president of the state

1 board or his or her designee. A school district that receives a grant
2 shall award the funds to its schools that have the highest number
3 of pupils per computer. Each education technology grant awarded
4 based on the second priority shall only be used for the purchase
5 or lease of computers including system configuration, software,
6 and instructional material. The grant amount awarded to each
7 school district or charter school for the second priority shall be
8 determined by the president of the state board or his her designee.

9 (c) All funds awarded pursuant to this section shall be used
10 solely to purchase or lease equipment and related materials for
11 instructional purposes and limited to classroom, library, or
12 technology and media centers in order to provide access to online
13 advanced placement courses for pupils and increase the number
14 of computers per pupil. These grant funds are to supplement, not
15 supplant, existing local, state, and federal education technology
16 funds, including Digital High School funds.

17 (d) To receive a grant pursuant to this section, school districts
18 and charter schools shall have developed an education technology
19 ~~plan or shall develop a plan with the assistance of the California~~
20 ~~Technology Assistance Project~~ specifically for the use of the funds
21 available pursuant to this section within 90 days after submission
22 of the application for a grant pursuant to this chapter. The plan
23 shall address the use of these and other technology funds to ensure
24 they are used effectively and in a manner consistent with other
25 education technology available at the schoolsite. School districts
26 and charter schools that choose to lease equipment shall include
27 in their technology plan a payment schedule, and shall identify the
28 funding source or sources for lease payments over the life of the
29 lease, including, but not limited to, establishing a technology
30 leasing account and amortizing the available state funding over
31 the term of the lease, if appropriate. In addition, the term of the
32 lease shall be no longer than four years unless authorized at local
33 discretion, in which case the lease or purchase shall be funded at
34 local expense. A school district or charter school with an existing
35 certified or approved education technology plan developed pursuant
36 to other provisions of law may utilize the existing plan for the
37 purposes of this program but shall, if necessary, amend that plan
38 to meet the requirements of this subdivision if the school district
39 or charter school chooses to lease the computers.

1 (e) School districts and charter schools may purchase or lease
2 computers, related equipment and materials, and other goods and
3 services using any statewide or cooperative contracts, schedules,
4 or other agreements, established by the Department of General
5 Services.

6 (f) Funding for the purposes of this section is contingent on an
7 appropriation made in the annual Budget Act or other legislation,
8 or both.

9 (g) Funds appropriated to carry out this section in the 2000–01
10 fiscal year shall only be available to high schools, or charter
11 schools, that serve any of grades 9 to 12, inclusive.

12 (h) The state board may adopt emergency regulations governing
13 the method of allocating funds for the Education Technology Grant
14 Program for the 2000–01 fiscal year.

15 *SEC. 6. Section 52295.55 of the Education Code is repealed.*

16 ~~52295.55. In consultation with the State Department of
17 Education and consistent with the requirements of the No Child
18 Left Behind Act of 2001 (Public Law 107-110), the California
19 Technology Assistance Project shall provide assistance to school
20 districts in the application process and shall assist grant recipients
21 with the implementation and evaluation of their grants, subject to
22 federal funding being allocated in the state budget for this technical
23 assistance.~~

24 *SEC. 7. Section 78910.10 of the Education Code is amended*
25 *to read:*

26 78910.10. (a) (1) The California Virtual Campus, pursuant
27 to funding provided to the Board of Governors of the California
28 Community Colleges for this purpose in the annual Budget Act,
29 may pursue all of the following purposes, to the extent funding is
30 available:

31 (A) To enrich formal and informal educational experiences and
32 improve students' academic performance by supporting the
33 development of highly engaging, research-based innovations in
34 teaching and learning in K–12 public schools and the California
35 Community Colleges, the California State University, and the
36 University of California.

37 (B) To enhance the awareness of, and access to, highly engaging
38 online courses of study, emphasizing courses of study that support
39 a diverse and highly skilled science, technology, engineering, and
40 mathematics workforce.

1 (C) To support education research, the implementation of
2 research-based practices, and promote economic development
3 through the use of next generation advanced network infrastructure,
4 services, and network technologies that enable collaboration and
5 resource sharing between formal and informal educators in K–12
6 public schools, the California Community Colleges, the California
7 State University, the University of California, independent colleges
8 and universities, public libraries, and community-based
9 organizations at locations across the state.

10 (D) To increase access to next generation Internet services, 21st
11 century workforce development programs, and e-government
12 services for students and staff served or employed by education
13 entities and students served primarily online through partnerships
14 with public libraries and community-based organizations.

15 (E) To enhance access to health care education and training
16 programs to current or future health care workers.

17 (F) To manage digital assets and develop contracts for services
18 necessary to provide the technical and management support needed
19 to maximize the benefits of the high-speed, high-bandwidth
20 network infrastructure available to public higher education entities
21 in California.

22 (G) Through the aggregation of demand for network enabled
23 technologies and related services from public education entities,
24 and through partnerships with the private sector, to provide
25 education entities with access to technical support and staff who
26 can facilitate statewide efforts that support innovations in teaching
27 and learning that are necessary to provide for a well-educated
28 citizenry, and economic and 21st century workforce development.

29 (2) To accomplish the purposes of paragraph (1), the California
30 Virtual Campus may partner with local educational agencies, the
31 State Department of Education, ~~the 11 regional California~~
32 ~~Technology Assistance Projects~~, the California Community
33 Colleges, the California State University, the University of
34 California, independent colleges and universities, public libraries,
35 and community-based organizations to facilitate ongoing
36 collaboration and joint efforts relating to the use of technology
37 resources and high-speed Internet connectivity to support teaching,
38 learning, workforce development, and research.

39 (3) Efforts conducted as a result of this chapter shall not prohibit
40 or otherwise exclude the ability of existing or new educational

1 technology programs from being developed, expanded, or
2 enhanced.

3 (b) For purposes of this article, the following terms have the
4 following meanings:

5 (1) “Online courses of study” means any of the following:

6 (A) Online teaching, learning, and research resources, including,
7 but not necessarily limited to, books, course materials, video
8 materials, interactive lessons, tests, or software, the copyrights of
9 which have expired, or have been released with an intellectual
10 property license that permits their free use or repurposing by others
11 without the permission of the original authors or creators of the
12 learning materials or resources.

13 (B) Professional development opportunities for formal and
14 informal educators who desire to use the resources in subparagraph
15 (A).

16 (C) Online instruction.

17 (2) “Online instruction” means technology enabled online real
18 time (synchronous) interaction between the instructor and the
19 student, near time (asynchronous) interaction between the instructor
20 and the student, or any combination thereof.

21 (c) The California Virtual Campus grant recipient may
22 accomplish all of the following:

23 (1) Convene at least four leadership stakeholder group meetings
24 annually ~~comprised~~ *composed* of representatives from the State
25 Department of Education, ~~the California Technology Assistance~~
26 ~~Project, and other related~~ programs administered through the
27 department, ~~local education agencies~~, including adult education,
28 *local education agencies*, the California Community Colleges, the
29 California State University, the University of California,
30 independent colleges and universities, the California State Library,
31 and representatives from community-based organizations to ensure
32 the efforts affecting segments represented are appropriately meeting
33 the needs of those segments. The leadership stakeholder group
34 shall also coordinate and obtain assistance with the implementation
35 of efforts delineated in this article, to identify and maintain an
36 up-to-date list of the technology resources and tools that are
37 necessary to support innovation in teaching and learning, and to
38 identify opportunities for leveraging resources and expertise for
39 meeting those needs in an efficient and cost-effective manner.

- 1 (2) Lead efforts to make online courses of study available across
2 the state that include, but are not limited to, the following:
- 3 (A) Developing online courses of study that are pedagogically
4 sound and fully accessible, in compliance with the federal
5 Americans with Disabilities Act (Public Law 101-336), by students
6 with varying learning styles and disabilities.
- 7 (i) The development of K–12 online courses pursuant to this
8 subparagraph shall be achieved in partnership with local education
9 agencies ~~and the California Technology Assistance Project~~.
- 10 (ii) Online courses developed for grades K–12 pursuant to this
11 subparagraph shall be aligned to the California academic content
12 standards and guidelines for online courses.
- 13 (B) Overseeing the development of at least 12 model online
14 courses of study that, collectively, would allow students to meet
15 the requirements of the Intersegmental General Education Transfer
16 Curriculum (IGETC) and at least two courses that support basic
17 skills education courses in English, English as a second language,
18 or mathematics.
- 19 (C) Encouraging the entities listed in paragraph (1) to do both
20 of the following:
- 21 (i) Make accessible to each other their courses of study that are
22 funded by the state.
- 23 (ii) Allow their courses of study to be accessible to the general
24 public if they determine access would not inhibit their ability to
25 provide appropriate protection of the state’s intellectual property
26 rights.
- 27 (3) Ensure that the learning objects created as part of the
28 California Virtual Campus online courses of study with state
29 General Fund revenues are linked to digital content libraries that
30 include information about course content freely available to
31 California educators and students.
- 32 (4) Develop formal partnership agreements between the entities
33 listed in paragraph (1) and the California Virtual Campus, including
34 course articulation agreements that allow qualified high school
35 students to accelerate the completion of requirements for a high
36 school diploma and a two-year or four-year degree and agreements
37 that provide opportunities for part-time faculty teaching online to
38 obtain full-time employment teaching online.
- 39 (5) Develop formal partnership agreements with the entities
40 listed in paragraph (1) and others to enhance access to professional

1 development courses that introduce faculty, teachers, staff, and
2 college course developers to the conceptual development, creation,
3 and production methodologies that underlie the development of
4 online courses of study and support students' successful completion
5 of those courses. The professional development opportunities may
6 include, but not necessarily be limited to, all of the following:

7 (A) Addressing issues relating to copyright, permission for the
8 use or reuse of material, use of resources in the public domain,
9 and other intellectual property concepts.

10 (B) Accessibility for students with disabilities.

11 (C) Factors to ensure that content is culturally relevant to a
12 diverse student body.

13 (D) Delivery options that incorporate multiple learning styles
14 and strategies.

15 (6) Develop formal partnership agreements with entities,
16 including, but not limited to, those listed in paragraph (1), to ensure
17 access to online professional learning communities that incorporate
18 the use of Internet-based collaboration tools and to support joint
19 discussions between K–12 educators, higher education faculty and
20 staff, and others to examine student performance data, student
21 learning objectives, curriculum, and other issues that relate to
22 students' academic success and preparation for the workforce.

23 (7) In partnership with entities, including those listed in
24 paragraph (1), develop an e-portfolio system that allows
25 participating students to demonstrate their attainment of academic
26 learning objectives, skills and knowledge that relate to their career
27 interests, and completion of prerequisites for participation in
28 courses or training programs. The e-portfolio system may do all
29 of the following:

30 (A) Ensure that student privacy is protected in accordance with
31 existing law.

32 (B) Comply with accessibility laws for students with disabilities.

33 (C) Be designed in a manner that supports the use of e-portfolio
34 content in the accreditation requirements of schools, colleges, and
35 universities.

36 (8) In partnership with entities, including those listed in
37 paragraph (1), identify opportunities to enhance students' access
38 to medical education and medical services through the use of
39 high-speed Internet connections to the campuses, and opportunities

1 for education programs and services to support the telehealth efforts
2 taking place within the state.

3 (d) The lead agency for the California Virtual Campus, in
4 consultation with the leadership stakeholder group described in
5 paragraph (1) of subdivision (c) if that group is convened by the
6 California Virtual Campus grant recipient, shall contract with an
7 independent third party with expertise in online teaching, learning,
8 and the development of online courses of study, as approved by
9 the board, to evaluate the California Virtual Campus. The
10 evaluation shall include, but not be limited to, an assessment of
11 the number of faculty, teachers, consortia, informal educators, and
12 students that use the online courses of study, the quality of students'
13 experiences, student grades earned, and the cost of the online
14 course content, comparing the online course content with traditional
15 textbooks. The board may require additional information that it
16 determines to be necessary to evaluate the effectiveness and
17 viability of the California Virtual Campus. This evaluation shall
18 be submitted to the Legislature no later than three years after the
19 enactment of this act.

20 *SEC. 8. Section 78910.15 of the Education Code is amended*
21 *to read:*

22 78910.15. (a) By February 28, 2009, the board shall require
23 the California Virtual Campus to establish memorandums of
24 understanding with at least 10 community-based organizations
25 specified in paragraph (2) of subdivision (c) of Section 280.5 of
26 the Public Utilities Code, that provide residents in low-income
27 neighborhoods with access to high-speed networking and
28 computers. The memorandum of understanding shall document
29 the California Virtual Campus' commitment to do all of the
30 following:

31 (1) Provide high-speed network connectivity to the site.

32 (2) Provide access to online courses of study and tutoring
33 services.

34 (3) Work with the community-based organization, and partner
35 with local educational agencies, ~~the California Technology~~
36 ~~Assistance Project~~, and ~~other~~ state-supported K-12 educational
37 technology programs, as appropriate, to plan and promote joint
38 educational offerings that are delivered online and supported by
39 the staff of a community-based organization that can facilitate
40 student use of technology.

1 (b) The 10 community-based organizations shall be selected on
2 a competitive basis by a six-member selection committee convened
3 by the California Virtual Campus. Members of the selection
4 committee shall include:

5 (1) Two representatives of community-based organizations
6 appointed by the Chancellor of the California Community Colleges.

7 (2) One community college representative appointed by the
8 Chancellor of the California Community Colleges.

9 (3) One representative from a K-12 school district appointed
10 by the Superintendent of Public Instruction.

11 (4) One representative from the California State University
12 appointed by the Chancellor of the California State University
13 system.

14 (5) One representative appointed by the California Emerging
15 Technologies Fund Committee.

16 (c) The selection committee convened pursuant to subdivision
17 (b) shall ensure that no less than one community-based organization
18 is selected from each of the nine economic regions identified by
19 the California Economic Strategy Panel, and that all sites are
20 willing and able to support academic offerings as outlined in the
21 request for proposals.

22 (d) The California Virtual Campus shall ensure that pilot project
23 participants have access to adequate technical and operational
24 support from an individual or entity under contract with the
25 California Virtual Campus with expertise in the operation and
26 management of community-based organizations to enable the site
27 to successfully meet obligations set forth in the memorandum of
28 understanding.

29 (e) On or before July 1, 2013, the lead agency for the California
30 Virtual Campus shall contract for an independent evaluation, as
31 approved by the board, and shall submit a report to the Public
32 Utilities Commission, or its designee, that documents the extent
33 to which the California Virtual Campus' joint efforts with the 10
34 community-based organizations have achieved all of the following:

35 (1) Increased the range of offerings available at each site to
36 address the digital divide in accordance with subdivision (e) of
37 Section 280.5 of the Public Utilities Code.

38 (2) Provided for equity of access to high-speed communications
39 networks, the Internet, and other services that provide social
40 benefits in accordance with the legislative findings and declarations

1 contained in Section 871.7 of the Public Utilities Code, including,
2 but not necessarily limited to, all of the following:

3 (A) Improving the quality of life among the residents of
4 California.

5 (B) Expanding access to public and private resources for
6 education, training, and commerce.

7 (C) Increasing access to public resources enhancing public
8 health and safety.

9 (D) Assisting in bridging the digital divide through expanded
10 access to new technologies by low-income, disabled, or otherwise
11 disadvantaged Californians.

12 (E) Shifting traffic patterns by enabling telecommuting, thereby
13 helping to improve air quality in all areas of the state and mitigating
14 the need for highway expansion.

15 (3) Supported participation in online offerings provided by the
16 California Virtual Campus in accordance with Section 78910.10.

17 (f) In the event that the board determines that the joint efforts
18 of the California Virtual Campus and the community-based
19 organizations have been successful pursuant to subdivision (e),
20 the board shall submit a plan to the Legislature and the Governor
21 by January 1, 2015, which contains recommendations for
22 expanding the number of sites partnering with the California
23 Virtual Campus, conditions for expansion, and recommendations
24 for ways of addressing any potential funding requirements.

25 (g) Community college local assistance expenditures to extend
26 high-speed network connectivity to community-based organizations
27 that partner with community colleges for instructional delivery
28 pursuant to this section shall not exceed one hundred thousand
29 dollars (\$100,000).

30 ~~SECTION 1. Section 11800 of the Education Code is amended~~
31 ~~to read:~~

32 ~~11800. (a) (1) The K-12 High-Speed Network (K-12 HSN)~~
33 ~~is hereby established for the purpose of enriching pupil educational~~
34 ~~experiences and improving pupil academic performance by~~
35 ~~providing high-speed, high-bandwidth Internet connectivity to the~~
36 ~~public school system, as defined by Section 6 of Article IX of the~~
37 ~~California Constitution, and by providing statewide support~~
38 ~~services to schools and school districts in the implementation of~~
39 ~~digital learning resources and technology tools as set forth in the~~
40 ~~policies of the state board.~~

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

4 ~~(b) The Superintendent shall measure the success of the K-12~~
5 ~~HSN and ensure that the benefits of the K-12 HSN are maximized~~
6 ~~to the extent possible. The K-12 HSN shall provide critical services~~
7 ~~and functions for public primary and secondary local educational~~
8 ~~agencies, including, but not limited to, all of the following:~~

9 ~~(1) Reliable and cost-effective Internet service.~~

10 ~~(2) Reliable and secure interconnectivity among public school~~
11 ~~entities offering kindergarten or any of grades 1 to 12, inclusive,~~
12 ~~in California, connection to higher education institutions of~~
13 ~~California, and connection to state and local agencies to facilitate~~
14 ~~efficient interaction, including transmission of data.~~

15 ~~(3) Videoconferencing and related distance learning capabilities.~~

16 ~~(4) Statewide coordination of support services that benefit~~
17 ~~teaching and learning with the common core standards and in~~
18 ~~support of the computer-adaptive assessment system adopted by~~
19 ~~the state board.~~

20 ~~(e) Funding shall be provided in the annual Budget Act to the~~
21 ~~K-12 HSN to provide centralized statewide educational technology~~
22 ~~services that address regional and statewide needs and are more~~
23 ~~efficiently and effectively provided or coordinated on a statewide~~
24 ~~basis to support the common core standards and computer-adaptive~~
25 ~~assessments implemented by the state board. The statewide~~
26 ~~educational technology services to be supported include, but are~~
27 ~~not limited to, all of the following:~~

28 ~~(1) Review of electronic learning resources, including, but not~~
29 ~~limited to, software, online resources, online courses, and video,~~
30 ~~for alignment with the common core standards adopted by the state~~
31 ~~board.~~

32 ~~(2) Professional development focused on digital school~~
33 ~~leadership for educational administrators in the areas of data-driven~~
34 ~~decisionmaking, computer-adaptive testing, digital teaching and~~
35 ~~learning with the common core standards curriculum, technology~~
36 ~~planning, professional development needs of staff, financial~~
37 ~~planning for technology, and operations and maintenance.~~

38 ~~(3) Access for schools for training, support, and other resources~~
39 ~~for technical professionals in California.~~

1 ~~(4) Statewide coordination of a regional assistance program to~~
2 ~~provide technical assistance to schools and school districts in the~~
3 ~~implementation of digital learning resources and tools.~~
4 ~~(d) The Superintendent shall maintain a K-12 HSN advisory~~
5 ~~board to be composed of all of the following members:~~
6 ~~(1) The Superintendent, or his or her designee.~~
7 ~~(2) The county superintendent of schools of the Lead Education~~
8 ~~Agency.~~
9 ~~(3) A county superintendent of schools of a county with an~~
10 ~~average daily attendance of more than 60,000 pupils, appointed~~
11 ~~by the Superintendent. The member appointed pursuant to this~~
12 ~~paragraph shall serve a renewable two-year term.~~
13 ~~(4) Three school district superintendents, appointed by the~~
14 ~~Superintendent. Members appointed pursuant to this paragraph~~
15 ~~shall represent school districts that are diverse as to geography and~~
16 ~~size, and that serve socioeconomically and culturally diverse pupil~~
17 ~~populations. Members appointed pursuant to this paragraph shall~~
18 ~~serve renewable two-year terms.~~
19 ~~(5) Two county superintendents of schools appointed by the~~
20 ~~majority of the votes of all of the county superintendents of schools.~~
21 ~~Members appointed pursuant to this paragraph shall serve~~
22 ~~renewable two-year terms.~~
23 ~~(6) Three schoolsite representatives, which shall include not~~
24 ~~less than two classroom teachers or instructional specialists.~~
25 ~~(7) The president of the state board or his or her designee.~~
26 ~~(e) The advisory board shall meet quarterly and shall recommend~~
27 ~~policy direction and broad operational guidance to the~~
28 ~~Superintendent and the Lead Education Agency. The advisory~~
29 ~~board, in consultation with the Lead Education Agency, shall~~
30 ~~develop recommendations for measuring the success of the~~
31 ~~network, improving network oversight and monitoring,~~
32 ~~strengthening accountability, and optimizing the use of the K-12~~
33 ~~HSN and its ability to improve education. The advisory board shall~~
34 ~~report annually its recommendations to the Legislature, the~~
35 ~~Governor, the Department of Finance, the president of the state~~
36 ~~board or his or her designee, and the Legislative Analyst's Office.~~
37 ~~It is the intent of the Legislature that the report identify and~~
38 ~~recommend specific annual performance measures that should be~~
39 ~~established to assess the effectiveness of the network.~~

- 1 ~~(f) The duties of the Lead Education Agency shall include all~~
2 ~~of the following:~~
- 3 ~~(1) Entering into appropriate contracts for the provision of~~
4 ~~high-speed, high-bandwidth Internet connectivity, provided such~~
5 ~~contracts secure the necessary terms and conditions to adequately~~
6 ~~protect the interests of the state. Terms and conditions shall include,~~
7 ~~but are not limited to, all of the following:~~
- 8 ~~(A) Development of comprehensive service level agreements.~~
9 ~~(B) Protection of any ownership rights of intellectual property~~
10 ~~of the state that result due to participation of the state in the K-12~~
11 ~~HSN.~~
- 12 ~~(C) Appropriate protection of assets of the state acquired due~~
13 ~~to its participation in the K-12 HSN.~~
- 14 ~~(D) Assurance that appropriate fee structures are in place.~~
15 ~~(E) Assurance that any interest earned on funds of the state for~~
16 ~~this purpose are used solely to the benefit of the project.~~
- 17 ~~(2) Development of an annual budget request for the K-12 HSN~~
18 ~~for submission to the department and the Department of Finance~~
19 ~~to be included in the annual Budget Act.~~
- 20 ~~(3) Development, in consultation with the advisory board~~
21 ~~established pursuant to subdivision (d), of specific goals and~~
22 ~~objectives for the program with appropriate reporting of success~~
23 ~~measures developed by the Superintendent pursuant to subdivision~~
24 ~~(b).~~
- 25 ~~(4) Ongoing fiscal oversight of the program, including~~
26 ~~mechanisms to control statewide costs and exposure. To~~
27 ~~accomplish this objective, the Lead Education Agency shall~~
28 ~~contract for an annual independent audit of the program. The~~
29 ~~independent auditor shall report the audit findings to the~~
30 ~~Superintendent, the Legislature, and the Governor by December~~
31 ~~15 of each year.~~
- 32 ~~(5) (A) The Lead Education Agency shall administer grant~~
33 ~~programs to promote the most cost-effective manner for the~~
34 ~~completion of connectivity for all public schools of the state and~~
35 ~~cost-effective applications that meet instructional needs to the~~
36 ~~extent that funds are provided for these purposes in the annual~~
37 ~~Budget Act.~~
- 38 ~~(B) Before the appropriation of any state funds for purposes of~~
39 ~~this paragraph, the Lead Education Agency shall submit~~

- 1 information justifying the need for additional grant funds,
2 including, but not limited to, all of the following:
- 3 (i) The number of schools and school districts that are already
4 connected.
 - 5 (ii) The means by which the costs associated with connectivity
6 were covered for schools and school districts that are already
7 connected.
 - 8 (iii) Obstacles to connection for those schools and school
9 districts that are not yet connected.
 - 10 (iv) Other local options and funding sources for purposes of
11 connectivity and applications.
- 12 (6) Entering into appropriate contracts to provide identified
13 needs that are more efficiently and effectively provided on a
14 statewide basis. The statewide education technology services to
15 be supported by this section shall include, but are not limited to,
16 all of the following:
- 17 (A) Review of electronic learning resources, including, but not
18 limited to, software, online resources, online courses, and video,
19 for alignment with the common core standards adopted by the state
20 board.
 - 21 (B) Professional development focused on digital school
22 leadership for educational administrators in the areas of data-driven
23 decisionmaking, integrating technology into standards-based
24 curriculum, technology planning, professional development needs
25 of staff, financial planning for technology, and operations and
26 maintenance.
 - 27 (C) Access for schools for training, support, and other resources
28 for technical professionals in California.
- 29 (7) Entering into appropriate contracts for regional consortia to
30 meet the locally defined educational needs of school districts as
31 they address common core standards curriculum and
32 computer-adaptive assessments that can be addressed effectively
33 with the use of technology, including, but not limited to, the
34 following areas:
- 35 (A) Professional development.
 - 36 (B) Electronic learning resources.
 - 37 (C) Hardware.
 - 38 (D) Telecommunication infrastructure.
 - 39 (E) Technical assistance to school districts in developing a
40 support system to operate and maintain an education technology

1 infrastructure, including improving pupil recordkeeping and
2 tracking related to pupil instruction.

3 ~~(F) Coordination with, and support for, the funding and~~
4 ~~implementation of federal, state, and local programs.~~

5 ~~(G) Funding.~~

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

8 ~~(I) Technology planning and implementation assistance to rural~~
9 ~~and technologically underserved school districts and county offices~~
10 ~~of education.~~

11 ~~(g) As a condition of spending any of the funds provided in the~~
12 ~~annual Budget Act for the K-12 HSN, the Lead Education Agency~~
13 ~~shall develop an expenditure plan to address pupils' progress to~~
14 ~~academic proficiency and submit the plan to the Superintendent.~~
15 ~~The expenditure plan shall include an explanation of the manner~~
16 ~~in which the objectives of the program will be met, including the~~
17 ~~additional statewide educational technology services pursuant to~~
18 ~~subdivision (c) and the contracts for regional consortia pursuant~~
19 ~~to subparagraph (C) of paragraph (7) of subdivision (f).~~

20 ~~(h) At a minimum, the Superintendent shall consider the quality~~
21 ~~and rigor of the manner in which the Lead Education Agency meets~~
22 ~~the conditions outlined in subdivision (g).~~

23 ~~(i) If the Superintendent determines that the Lead Education~~
24 ~~Agency fails to meet the conditions specified in subdivision (g),~~
25 ~~the Superintendent may restrict the Lead Education Agency from~~
26 ~~spending the funds provided for the K-12 HSN.~~

27 ~~(j) Nothing in this section shall be construed as imposing new~~
28 ~~mandates on school districts.~~

29 ~~SEC. 2.~~

30 *SEC. 9.* If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to
32 local agencies and school districts for those costs shall be made
33 pursuant to Part 7 (commencing with Section 17500) of Division
34 4 of Title 2 of the Government Code.