

AMENDED IN SENATE APRIL 24, 2013

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**SENATE BILL**

**No. 505**

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**Introduced by Senator Jackson**

February 21, 2013

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

LEGISLATIVE COUNSEL'S DIGEST

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

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.

~~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: 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 support services that benefit  
28 teaching and learning with the common core standards and in  
29 support of the computer-adaptive assessment system adopted by  
30 the state board.

31 (c) Funding shall be provided in the annual Budget Act to the  
32 K-12 HSN to provide centralized statewide educational technology  
33 services that address regional and statewide needs and are more  
34 efficiently and effectively provided or coordinated on a statewide  
35 basis to support the common core standards and computer-adaptive  
36 assessments implemented by the state board. The statewide  
37 educational technology services to be supported include, but are  
38 not limited to, all of the following:

- 1 (1) Review of electronic learning resources, including, but not  
2 limited to, software, online resources, online courses, and video,  
3 for alignment with the common core standards adopted by the state  
4 board.
- 5 (2) Professional development focused on digital school  
6 leadership for educational administrators in the areas of data-driven  
7 decisionmaking, computer-adaptive testing, digital teaching and  
8 learning with the common core standards curriculum, technology  
9 planning, professional development needs of staff, financial  
10 planning for technology, and operations and maintenance.
- 11 (3) Access for schools for training, support, and other resources  
12 for technical professionals in California.
- 13 (4) Statewide coordination of a regional assistance program to  
14 provide technical assistance to schools and school districts in the  
15 implementation of digital learning resources and tools.
- 16 (d) The Superintendent shall maintain a K-12 HSN advisory  
17 board to be composed of all of the following members:
- 18 (1) The Superintendent, or his or her designee.
- 19 (2) The county superintendent of schools of the Lead Education  
20 Agency.
- 21 (3) A county superintendent of schools of a county with an  
22 average daily attendance of more than 60,000 pupils, appointed  
23 by the Superintendent. The member appointed pursuant to this  
24 paragraph shall serve a renewable two-year term.
- 25 (4) Three school district superintendents, appointed by the  
26 Superintendent. Members appointed pursuant to this paragraph  
27 shall represent school districts that are diverse as to geography and  
28 size, and that serve socioeconomically and culturally diverse pupil  
29 populations. Members appointed pursuant to this paragraph shall  
30 serve renewable two-year terms.
- 31 (5) Two county superintendents of schools appointed by the  
32 majority of the votes of all of the county superintendents of schools.  
33 Members appointed pursuant to this paragraph shall serve  
34 renewable two-year terms.
- 35 (6) Three schoolsite representatives, which shall include not  
36 less than two classroom teachers or instructional specialists.
- 37 (7) The president of the state board or his or her designee.
- 38 (e) The advisory board shall meet quarterly and shall recommend  
39 policy direction and broad operational guidance to the  
40 Superintendent and the Lead Education Agency. The advisory

1 board, in consultation with the Lead Education Agency, shall  
2 develop recommendations for measuring the success of the  
3 network, improving network oversight and monitoring,  
4 strengthening accountability, and optimizing the use of the K-12  
5 HSN and its ability to improve education. The advisory board shall  
6 report annually its recommendations to the Legislature, the  
7 Governor, the Department of Finance, the president of the state  
8 board or his or her designee, and the Legislative Analyst's Office.  
9 It is the intent of the Legislature that the report identify and  
10 recommend specific annual performance measures that should be  
11 established to assess the effectiveness of the network.

12 (f) The duties of the Lead Education Agency shall include all  
13 of the following:

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

19 (A) Development of comprehensive service level agreements.

20 (B) Protection of any ownership rights of intellectual property  
21 of the state that result due to participation of the state in the K-12  
22 HSN.

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

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

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

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

31 (3) Development, in consultation with the advisory board  
32 established pursuant to subdivision (d), of specific goals and  
33 objectives for the program with appropriate reporting of success  
34 measures developed by the Superintendent pursuant to subdivision  
35 (b).

36 (4) Ongoing fiscal oversight of the program, including  
37 mechanisms to control statewide costs and exposure. To  
38 accomplish this objective, the Lead Education Agency shall  
39 contract for an annual independent audit of the program. The  
40 independent auditor shall report the audit findings to the

1 Superintendent, the Legislature, and the Governor by December  
2 15 of each year.

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

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

13 (i) The number of schools and school districts that are already  
14 connected.

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

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

20 (iv) Other local options and funding sources for purposes of  
21 connectivity and applications.

22 (6) Entering into appropriate contracts to provide identified  
23 needs that are more efficiently and effectively provided on a  
24 statewide basis. The statewide education technology services to  
25 be supported by this section shall include, but are not limited to,  
26 all of the following:

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

31 (B) Professional development focused on digital school  
32 leadership for educational administrators in the areas of data-driven  
33 decisionmaking, integrating technology into standards-based  
34 curriculum, technology planning, professional development needs  
35 of staff, financial planning for technology, and operations and  
36 maintenance.

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

39 (7) Entering into appropriate contracts for regional consortia to  
40 meet the locally defined educational needs of school districts as

1 they address common core standards curriculum and  
2 computer-adaptive assessments that can be addressed effectively  
3 with the use of technology, including, but not limited to, the  
4 following areas:

- 5 (A) Professional development.
- 6 (B) Electronic learning resources.
- 7 (C) Hardware.
- 8 (D) Telecommunication infrastructure.
- 9 (E) Technical assistance to school districts in developing a  
10 support system to operate and maintain an education technology  
11 infrastructure, including improving pupil recordkeeping and  
12 tracking related to pupil instruction.
- 13 (F) Coordination with, and support for, the funding and  
14 implementation of federal, state, and local programs.
- 15 (G) Funding.
- 16 (H) Technical assistance and information to support access,  
17 planning, and the use of high-speed telecommunication networks.
- 18 (I) Technology planning and implementation assistance to rural  
19 and technologically underserved school districts and county offices  
20 of education.

21 *(g) As a condition of spending any of the funds provided in the*  
22 *annual Budget Act for the K-12 HSN, the Lead Education Agency*  
23 *shall develop an expenditure plan to address pupils' progress to*  
24 *academic proficiency and submit the plan to the Superintendent.*  
25 *The expenditure plan shall include an explanation of the manner*  
26 *in which the objectives of the program will be met, including the*  
27 *additional statewide educational technology services pursuant to*  
28 *subdivision (c) and the contracts for regional consortia pursuant*  
29 *to subparagraph (C) of paragraph (7) of subdivision (f).*

30 *(h) At a minimum, the Superintendent shall consider the quality*  
31 *and rigor of the manner in which the Lead Education Agency meets*  
32 *the conditions outlined in subdivision (g).*

33 *(i) If the Superintendent determines that the Lead Education*  
34 *Agency fails to meet the conditions specified in subdivision (g),*  
35 *the Superintendent may restrict the Lead Education Agency from*  
36 *spending the funds provided for the K-12 HSN.*

37 *(j) Nothing in this section shall be construed as imposing new*  
38 *mandates on school districts.*

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.~~

6     *SEC. 2.* If the Commission on State Mandates determines that  
7 this act contains costs mandated by the state, reimbursement to  
8 local agencies and school districts for those costs shall be made  
9 pursuant to Part 7 (commencing with Section 17500) of Division  
10 4 of Title 2 of the Government Code.