

**ASSEMBLY BILL**

**No. 934**

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**Introduced by Assembly Member Bonilla**

February 26, 2015

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An act to amend Section 11800 of the Education Code, relating to education technology.

LEGISLATIVE COUNSEL'S DIGEST

AB 934, as introduced, Bonilla. Education technology: K–12 High-Speed Network: advisory board: membership.

Existing law establishes the K–12 High-Speed Network (K–12 HSN) 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 K–12 HSN on behalf of the Superintendent. Existing law requires the Superintendent to establish a K–12 HSN advisory board composed of various members, including, among others, 3 school district superintendents. Existing law requires the advisory board to meet quarterly and to recommend policy direction and broad operational guidance to the Superintendent and the Lead Education Agency.

This bill would increase the number of school district superintendents on the K–12 HSN advisory board to 4.

This bill would also make nonsubstantive changes.

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

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

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

11800. (a) (1) The K–12 High-Speed Network (K–12 HSN) is hereby established for the purpose of enriching pupil educational experiences and improving pupil academic performance by providing high-speed, high-bandwidth Internet connectivity to the public school system, as defined by Section 6 of Article IX of the California Constitution.

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

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

(1) Reliable and cost-effective Internet service.

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

(3) Videoconferencing and related distance learning capabilities.

(4) Statewide coordination of network uses to benefit teaching and learning.

(c) The Superintendent shall use a competitive grant process to select a local educational agency to serve as the Lead Education Agency to administer the K–12 HSN on behalf of the Superintendent.

(d) The Superintendent shall establish a K–12 HSN advisory board to be composed of all of the following members:

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

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

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

1 (4) ~~Three~~*Four* school district superintendents, appointed by  
2 the Superintendent. Members appointed pursuant to this paragraph  
3 shall represent school districts that are diverse as to geography and  
4 size, and that serve socioeconomically and culturally diverse pupil  
5 populations. Members appointed pursuant to this paragraph shall  
6 serve renewable two-year terms.

7 (5) Two county superintendents of schools appointed by the  
8 majority of the votes of all of the county superintendents of schools.  
9 Members appointed pursuant to this paragraph shall serve  
10 renewable two-year terms.

11 (6) Three schoolsite representatives, ~~which shall include not~~  
12 ~~less than~~ *at least two of whom shall be* classroom teachers or  
13 instructional specialists.

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

15 (e) The advisory board shall meet quarterly and shall recommend  
16 policy direction and *provide* broad operational guidance to the  
17 Superintendent and the Lead Education Agency. The advisory  
18 board, in consultation with the Lead Education Agency, shall  
19 develop recommendations for measuring the success of the  
20 network, improving network oversight and monitoring,  
21 strengthening accountability, and optimizing the use of the K–12  
22 HSN and its ability to improve education. The advisory board shall  
23 report its recommendations to the Legislature, the Governor, the  
24 Department of Finance, the president of the state board or his or  
25 her designee, and the Legislative Analyst’s Office by March 1,  
26 2007. It is the intent of the Legislature that the report identify and  
27 recommend specific annual performance measures that should be  
28 established to assess the effectiveness of the network.

29 (f) The duties of the Lead Education Agency shall include all  
30 of the following:

31 (1) Entering into appropriate contracts for the provision of  
32 high-speed, high-bandwidth Internet connectivity, ~~provided such~~  
33 ~~that the~~ contracts secure the necessary terms and conditions to  
34 adequately protect the interests of the state. Terms and conditions  
35 shall include, but are not limited to, all of the following:

36 (A) Development of comprehensive service level agreements.

37 (B) Protection of any ownership rights of intellectual property  
38 of the state that result due to participation of the state in the K–12  
39 HSN.

1 (C) Appropriate protection of assets of the state acquired due  
2 to its participation in the K–12 HSN.

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

4 (E) Assurance that ~~any~~ *the* interest earned on funds of the state  
5 for this purpose are used solely to the benefit of the project.

6 (2) Development of an annual budget request for the K–12 HSN  
7 for submission to the department and the Department of Finance  
8 to be included in the annual Budget Act.

9 (3) Development, in consultation with the advisory board  
10 established pursuant to subdivision (d), of specific goals and  
11 objectives for the program with appropriate reporting of success  
12 measures developed by the Superintendent pursuant to subdivision  
13 (b).

14 (4) Ongoing fiscal oversight of the program, including  
15 mechanisms to control statewide costs and exposure. To  
16 accomplish this objective, the Lead Education Agency shall  
17 contract for an annual independent audit of the program. The  
18 independent auditor shall report the audit findings to the  
19 Superintendent, the Legislature, and the Governor by December  
20 15 of each year.

21 (5) Ongoing technical oversight of the program, including  
22 external evaluation and independent validation, where appropriate.  
23 To accomplish this objective, the Lead Education Agency shall  
24 contract for an independent evaluation to be completed and  
25 provided to the Superintendent by March 1, 2009. The  
26 Superintendent shall report the results of the evaluation, including  
27 a response and recommendations to correct any adverse findings  
28 from the evaluation, to the Governor and the Legislature by April  
29 30, 2009.

30 (6) (A) ~~The Lead Education Agency shall administer~~ *Administer*  
31 grant programs to promote the most cost-effective manner for the  
32 completion of connectivity for all public schools of the state and  
33 cost-effective applications that meet instructional needs to the  
34 extent that funds are provided for these purposes in the annual  
35 Budget Act.

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

- 1 (i) The number of schools and school districts that are already  
2 connected.
- 3 (ii) The means by which the costs associated with connectivity  
4 were covered for schools and school districts that are already  
5 connected.
- 6 (iii) Obstacles to connection for those schools and school  
7 districts that are not yet connected.
- 8 (iv) Other local options and funding sources for purposes of  
9 connectivity and applications.

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