

AMENDED IN SENATE JULY 10, 1995
AMENDED IN SENATE JUNE 21, 1995
AMENDED IN SENATE JUNE 12, 1995
AMENDED IN ASSEMBLY JUNE 1, 1995
AMENDED IN ASSEMBLY MAY 2, 1995
AMENDED IN ASSEMBLY APRIL 25, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 1302

Introduced by Assembly Member Kevin Murray
(Coauthor: Assembly Member Morrow)

February 23, 1995

An act to amend the heading of Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of, to amend Sections 51870, 51871, 51872, 51873, ~~51874~~, 51875, 51876, 51877, and 51881 of, *and* to repeal Sections 51878, 51879, 51880, and 51882 of, ~~and to repeal and add Section 51883 of~~, the Education Code, relating to education technology, ~~and~~ making an appropriation therefor, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1302, as amended, K. Murray. Education technology.

(1) Existing law, the Morgan-Farr-Quackenbush Educational Technology Act of 1992 (hereafter the act), has the primary mission of ensuring that the procurement and use

of technology is clearly guided by the needs of pupils, and the act is established to accomplish specific purposes, including providing access to education technology to every learner. The act provides for school-based education technology grants to develop, adopt, or expand existing technological applications to support general education, English acquisition, and non-English-speaking parent education programs pursuant to specified conditions. These grants include school-based educational technology grants, research and development project grants, educational technology dissemination project grants, and instructional video services grants. Existing law also declares the Legislature's intent that all school facilities construction projects be designed and constructed to maximize the use of educational technology.

This bill would change the name of the act to the Morgan-Farr-Quackenbush Education Technology Act of 1992 and would specify that the act has, as one of its purposes, providing access to education technology to every learner, including a learner with exceptional needs. The bill would also repeal the specific provisions pertaining to research and development project grants, educational technology dissemination project grants, and instructional video services grants. The bill would provide that school districts, county offices of education, and state special schools may apply to the State Board of Education to participate in grant programs related to education technology, and would make related changes.

(2) Existing law provides that contracts and grants shall be provided to new and existing regional consortia and agencies, including the California Technology Project, to assist in the planning, implementation, evaluation and dissemination of information on exemplary technology-based practices, programs, and products. Existing law specifies that as a condition to receiving this funding, the regional agencies are to provide assistance to grant recipients, as specified.

The bill would specify that grants shall be provided to regional consortia and agencies to assist in the planning, implementation, and evaluation of comprehensive support services for schools and that regional consortia shall assist



school districts and county offices of education to plan for and implement school-based education technology grants.

~~(3) Existing law requires the State Department of Education, on or before January 1, 1996, to contract with an independent evaluator to prepare a comprehensive evaluation of the relative impact, costs, and benefits of each of the grant programs under the act.~~

~~This bill would repeal the requirement that the State Department of Education contract with an independent evaluator on or before January 1, 1996.~~

~~(4) The bill would authorize the Public Utilities Commission to allocate \$35,000,000 for the purposes of telecommunications infrastructure development in public schools, as described in a specified decision of the commission, thereby imposing a tax. The bill would require the commission to order that \$35,000,000 be deposited into the California Education Technology Trust Fund, which would be created by the bill, as specified. The bill would appropriate \$35,000,000 to the State Department of Education Office of Public School Construction from the amount deposited in the California Education Technology Trust Fund for allocation by the State Board of Education for the purposes of telecommunications infrastructure development in public schools, as specified. The bill would authorize the State Allocation Board to allocate the \$35,000,000 described above, and would provide that the State Allocation Board allocate the money for specified purposes. The bill would provide that the immediately mentioned provisions shall not become operative until a specified decision of the California Supreme Court is rendered or a stay imposed by the California Supreme Court is otherwise lifted.~~

~~(5)~~

~~(4) Under existing law, the Education Council for Technology in Learning consists of 11 members, appointed as specified. Under existing law, the council has various duties, including recommending standards and procedures to the State Board of Education for administration of the act.~~

~~This bill would add 2 members to the council, appointed as specified, and would revise the aforementioned duty of the council to include recommending to the governing boards of~~



each education segment and the State Librarian priorities for disbursement of funds in implementing education technology and criteria for selecting grant recipients, as well as standards and procedures for the administration of the act to assure connectivity between and among all segments of education and public libraries and external networks.

~~(6)~~

(5) Existing law requires the Education Council for Technology in Learning to establish an expert communications task force to develop a phased-in plan for a statewide telecommunications network with specified components.

This bill would repeal that provision and instead would require the council to develop a phased-in plan for funding and implementing a statewide telecommunications network of networks to provide connectivity between and among all segments of education and public libraries and external networks.

(6) The bill would provide that it would become operative only if AB 1519 of the 1995–96 Regular Session of the Legislature is enacted and contains specified provisions.

(7) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. (a) The Legislature finds and declares
2 the following:

3 (1) The future success of California’s economy and the
4 future welfare of its citizens rest upon the ability of the
5 public and private sectors to work together to increase
6 the employment skills and competitiveness of its people
7 and to stimulate economic growth.

8 (2) To improve the employment capabilities and
9 competitiveness of the people requires a strong
10 commitment to high quality education. Increases in the
11 productivity and effectiveness of the education and



1 library system are essential to upgrading the quality of the
2 existing education system.

3 (3) The development of an advanced state-of-the-art
4 telecommunications infrastructure, utilizing modern
5 information processing technology, in the education and
6 library systems, linked locally, nationally, and
7 internationally to businesses, residences, and other public
8 and private services, is essential for achieving a quality
9 educational system in a cost-effective manner.

10 (4) The development of an advanced state-of-the-art
11 telecommunications infrastructure is essential to
12 promoting the economic competitiveness of the state,
13 improving the literacy and employment skill levels of its
14 citizens, and ensuring the future vitality of its educational
15 and library systems.

16 (5) California, the birthplace of the personal computer
17 and home to Silicon Valley, is the third worst state in the
18 nation in providing computers for its students.

19 (6) That California must assume a position of
20 economic leadership and national prominence in the
21 information age by adopting a major statewide policy to
22 provide funding for a school and library information
23 infrastructure development program has been
24 recognized by the following:

25 (A) In 1989, the Legislature established the California
26 Planning Commission to produce the California Master
27 Plan for Educational Technology.

28 (B) In 1992, the Legislature authorized
29 implementation of the recommendations contained in
30 the Master Plan for Educational Technology, including a
31 governance structure, grants to elementary and
32 secondary schools, and plans for establishment of an
33 integrated data, voice, and video network known as the
34 Golden State Educational Network (GSEN).

35 (C) In 1993, the Legislature required the Public
36 Utilities Commission to develop rules, procedures,
37 orders, and strategies to provide the state's education
38 institutions with access to advanced communications
39 services.



1 (D) In November 1993, the Public Utilities
2 Commission published a Telecommunications
3 Infrastructure Report to the Governor recommending
4 the creation of a program to provide one hundred fifty
5 million dollars (\$150,000,000) annually to bring advanced
6 communications to schools and libraries.

7 (E) In January 1994, the California Business
8 Roundtable recommended the integration of technology
9 into the curriculum and instruction in the elementary
10 and secondary schools and the community colleges.

11 (7) An interim investment on the part of the state is
12 needed to unite, integrate, and expand the previous
13 investments in educational technology by the private and
14 public sectors.

15 (8) An economic development investment on the part
16 of the state is needed to leverage, provide matching
17 funds, and encourage additional investments in
18 educational technology products and services by the
19 private and public sectors.

20 (9) California must dedicate itself to bring technology
21 to all public classrooms, school libraries, administrative
22 offices, and library facilities so that the state's current and
23 future workers are included in the information age
24 revolution.

25 (10) The state's four public education segments, which
26 include more than 7,600 elementary and secondary
27 schools, 106 community colleges, and 22 California State
28 University campuses, together with approximately 800
29 public libraries and 7,600 school libraries, should be
30 designated as the backbone of community learning
31 centers for the 21st century in order to provide all citizens
32 of the state with access to information resources.

33 (b) It is the intent of the Legislature to:

34 (1) Develop and secure funding for a school and
35 library information infrastructure development program
36 through state appropriations, liaisons with federal
37 agencies, public/private partnerships, regulatory
38 policies, and incentives for participation by
39 telecommunications and information technology
40 providers. To the extent that private sector involvement



1 is mandated, the program will be competitively neutral
2 to ensure no unfair burden or advantage.

3 (2) Regularly assess the use and effectiveness of this
4 program to ensure access and efficient utilization by
5 students, teachers, and information seekers in the state.

6 (3) Provide these funds to supplement programs
7 which are already being funded, and not to be substituted
8 for existing funding.

9 SEC. 2. The heading of Article 15 (commencing with
10 Section 51870) of Chapter 5 of Part 28 of the Education
11 Code is amended to read:

12
13 Article 15. The Morgan-Farr-Quackenbush Education
14 Technology Act of 1992
15

16 SEC. 3. Section 51870 of the Education Code is
17 amended to read:

18 51870. The Morgan-Farr-Quackenbush Education
19 Technology Act of 1992 has the primary mission of
20 ensuring that the procurement and use of technology is
21 clearly guided by the needs of pupils, and is hereby
22 established for the purpose of accomplishing all of the
23 following:

24 (a) Using education technology as a means of
25 facilitating learning, including English language
26 acquisition for the non-English-speaking pupil
27 population and access to the core curriculum for English
28 learners.

29 (b) Using technology to facilitate
30 non-English-speaking parent education.

31 (c) Fostering collaboration between public
32 elementary and secondary schools and postsecondary
33 education institutions in the use and development of
34 technology to address pupil and faculty needs.

35 (d) Providing access to education technology to every
36 learner, including a learner with exceptional needs,
37 faculty member, and staff member.

38 (e) Providing equity of access to ongoing training and
39 support of information technology resources for use in the
40 teaching/learning process.

1 (f) Establishing a coordinating council for education
2 technology to be known as the Education Council for
3 Technology in Learning.

4 (g) Promoting the establishment of the Industry
5 Council for Technology in Learning.

6 (h) Establishing a statewide administrative
7 information system.

8 (i) Providing for the integration and consolidation of
9 a statewide voice, video, and data network that meets the
10 communication needs of California education.

11 (j) Establishing a statewide instructional and
12 informational resources system for learners, faculty, and
13 administrators.

14 (k) Establishing a statewide pupil information system.

15 (l) Providing for ongoing external evaluation of the
16 impact of existing technology and programs established
17 by this article on meeting learner and staff needs.

18 (m) Providing substantial and sustained public, as well
19 as identifying private, funding for the purposes of this
20 article.

21 SEC. 4. Section 51871 of the Education Code is
22 amended to read:

23 51871. For the purposes of this article, the following
24 terms shall have the following meanings, unless the
25 context otherwise requires:

26 (a) "Education segments" means the public
27 elementary and secondary school system, the community
28 college system, the California State University, and the
29 University of California.

30 (b) "Technology" means technology-based materials,
31 equipment, systems, and networks.

32 SEC. 5. Section 51872 of the Education Code is
33 amended to read:

34 51872. The Education Council for Technology in
35 Learning is hereby established and shall perform all of the
36 following duties:

37 (a) Promote the use of education technology to meet
38 the needs of limited-English-speaking pupils and
39 non-English-speaking parents.



1 (b) Ensure that the recommendations made in the
2 California State Masterplan for Educational Technology
3 are considered in implementing education technology
4 programs pursuant to this act.

5 (c) Collaborate with education institutions,
6 professional educational associations, and business in
7 recommending priorities for funding and in identifying
8 needs for technology use in education.

9 (d) Recommend to the governing boards of each
10 education segment and the State Librarian priorities for
11 the use of education technology and for disbursement of
12 funds in implementing education technology priorities,
13 as well as standards and procedures for the administration
14 of this article, including, but not limited to, standards for
15 technology-based resources, projects, programs,
16 practices or products to be adopted or adapted, and
17 standards and criteria by which to evaluate the
18 technology-based programs to assure connectivity
19 between and among all ~~segments of education~~ *education*
20 *segments* and public libraries and external networks,
21 including Internet.

22 (e) Recommend exemplary programs, practices, or
23 products based on the criteria established in subdivision
24 (d).

25 (f) Develop a phased-in plan for funding and
26 implementing a statewide telecommunications
27 education network of networks that provides
28 connectivity between and among all ~~segments of~~
29 ~~education~~ *education segments* and public libraries and
30 external networks, including Internet. Pupils and
31 learners shall have access to the information resources
32 available on the statewide education system of networks
33 at every learning location, including public schools,
34 community colleges, university campuses, and public
35 libraries.

36 (g) Work with representatives of the governing bodies
37 of the education segments to develop recommendations
38 or strategies for the coordination, administration, and
39 evaluation of education technology programs and
40 resources.



1 (h) Work with representatives of the governing bodies
2 of the education segments to identify strategies to
3 coordinate statewide voice, video, and data
4 telecommunications systems that may be accessed by the
5 education segments.

6 (i) Assist in the establishment of the Industry Council
7 for Technology in Learning, a California nonprofit
8 corporation, as recommended by the Blue Ribbon Panel
9 of the Industry Education Council of California. The
10 corporation would receive private funds and allocate
11 these private funds and resources to support and
12 augment technology-based programs and projects
13 established under this article. It is the intent of the
14 Legislature that the Education Council for Technology in
15 Learning have at least four of its members representing
16 education serving on the Industry Council for
17 Technology in Learning.

18 SEC. 6. Section 51873 of the Education Code is
19 amended to read:

20 51873. (a) The Superintendent of Public Instruction,
21 with the advice of the Education Council for Technology
22 in Learning, shall administer this article. The duties of the
23 superintendent shall include the following:

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

27 (2) Providing staff to the Education Council for
28 Technology in Learning.

29 (3) Providing support for the statewide coordination,
30 administration, and evaluation of collaborative education
31 technology programs and resources among regional
32 groups, institutions of higher education, school districts,
33 businesses, and other agencies. Funding to the State
34 Department of Education for support of state
35 administration, including staffing and necessary
36 operating expenses, shall be provided through the annual
37 Budget Act.

38 (b) The California Community Colleges, the
39 California State University, the University of California,
40 and the State Librarian are encouraged to commit



1 resources in their respective budgets for use in
2 collaborating with the public elementary and secondary
3 school system through the Education Council for
4 Technology in Learning to further the goals of this article.

5 SEC. 7. Section 51874 of the Education Code is
6 amended to read:

7 51874. (a) The Education Council for Technology in
8 Learning shall consist of 13 members who shall be
9 appointed as follows:

10 (1) The Superintendent of Public Instruction shall
11 appoint one representative from a county office of
12 education.

13 (2) The Governor shall appoint one practicing public
14 school administrator from an organization representing
15 California administrators, one business representative
16 with experience in applications of technology, one
17 practicing public school elementary teacher from an
18 organization representing California teachers, one
19 library media specialist from an association representing
20 library media specialists, one public member with
21 expertise in the application of technology, and one
22 member of the faculty of a public postsecondary
23 institution. The Governor, in consultation with the
24 President of the University of California, the Chancellor
25 of the California State University, and the Chancellor of
26 the California Community Colleges, shall appoint two
27 additional members representing public postsecondary
28 institutions.

29 (3) The Senate Rules Committee shall appoint one
30 business representative with experience in applications
31 of technology and one practicing public school secondary
32 teacher from an organization representing
33 technology-using educators.

34 (4) The Speaker of the Assembly shall appoint one
35 business representative with experience in applications
36 of technology and one practicing public school
37 elementary teacher from an organization representing
38 California teachers.

39 (b) Members shall serve two-year terms, with the
40 exception of the initial appointment of the three teachers



1 and the three business representatives, who shall serve
2 for three years to facilitate a staggered appointment
3 schedule in order to ensure continuity. No member shall
4 serve for more than one term.

5 (c) No private business entity shall have more than
6 one of its officers or employees serving as a member of the
7 council. In making the appointments, the Governor, the
8 President pro Tempore of the Senate, and the Speaker of
9 the Assembly shall consult and cooperate so that not more
10 than one representative of any single private business
11 entity is serving on the council at any time.

12 (d) Members shall be knowledgeable about
13 applications of technology in an educational setting and
14 shall be selected based on documentation of that
15 experience.

16 (e) Every effort shall be made to ensure that the
17 gender, ethnic, and racial composition of the council
18 reflects the gender, racial, and ethnic composition of the
19 population of the State of California and that the council
20 is representative of the cultural and geographic diversity
21 of the state.

22 (f) Members shall serve without compensation, except
23 that members shall be reimbursed for necessary
24 reasonable expenses incurred in the performance of their
25 duties.

26 (g) The members shall be subject to the
27 conflict-of-interest provisions of the Political Reform Act
28 of 1974, as set forth in Title 9 (commencing with Section
29 81000) of the Government Code.

30 (h) The Executive Director of the California
31 Postsecondary Education Commission shall appoint one
32 nonvoting liaison to the Education Council for
33 Technology in Learning. The President of the State
34 Board of Education shall appoint one nonvoting liaison to
35 the Education Council for Technology in Learning.

36 (i) Costs incurred by the Education Council for
37 Technology in Learning in compliance with this article,
38 shall be payable from funds appropriated for the purposes
39 of this article in the annual Budget Act.



1 (j) The Education Council for Technology in Learning
2 may use up to one-half of one percent of the funds
3 appropriated in the annual Budget Act for the purposes
4 of this article to contract for additional services. Costs
5 incurred through the Department of General Services
6 associated with the contract for the purchase or materials
7 or blueprints in accordance with this article shall be
8 payable from funds appropriated for the purposes of this
9 article.

10 SEC. 8. Section 51875 of the Education Code is
11 amended to read:

12 51875. (a) As a condition to receiving funding
13 pursuant to this article, the duties of the Superintendent
14 of Public Instruction shall include, but not be limited to,
15 the following:

16 (1) Providing for executive level staff to administer
17 the programs and to represent the segment before the
18 Education Council for Technology in Learning.

19 (2) Advising the Education Council for Technology in
20 Learning on education technology plans, policies,
21 programs, and activities.

22 (3) Ensuring that all education initiatives, reform
23 efforts, advisories, and guidelines include appropriate
24 and effective integration of technology.

25 (4) Promoting the use of technology to support state
26 goals for faculty and staff development, curriculum
27 reform, administration of instructional programs, and
28 testing and evaluation procedures.

29 (5) Collaborating with other education segments to
30 support the implementation of the state's master plan for
31 educational technology developed pursuant to former
32 Article 15 (commencing with Section 51870) as it existed
33 on December 31, 1992.

34 (6) Establishing guidelines for the upgrading of
35 existing and new learning facilities to accommodate the
36 installation of current and future technologies.

37 (7) Collaborate with public postsecondary institutions
38 and other appropriate agencies to encourage credential
39 candidates and credentialed personnel to receive



1 intensive instruction in the use of technology to enhance
2 curriculum, instruction, and schoolsite management.

3 (b) In addition to the contract and grant programs
4 specified in this article, the following leadership and
5 support activities may be funded under this article by the
6 Superintendent of Public Instruction, and by the other
7 education segments, to the extent that funds are made
8 available to those education segments:

9 (1) Using education technology, including
10 telecommunications, to further statewide educational
11 objectives for instruction, staff development,
12 administration, and testing and evaluation procedures.

13 (2) Supporting staff development.

14 (3) Assessing multimedia products and determining
15 priorities for the development of multimedia products
16 required to support critical educational needs.

17 (4) Coordinating and implementing the statewide
18 purchase, licensing, and leasing of equipment and
19 technology-based resources, as needed.

20 (5) Procuring, developing, disseminating, and
21 reviewing technology-based programs and products.

22 (6) Facilitating intensive courses of study for
23 educational personnel in effective uses of technology to
24 enhance curriculum, instruction, and administration.

25 SEC. 9. Section 51876 of the Education Code is
26 amended to read:

27 51876. School districts, county offices of education,
28 and state special schools may apply to the State Board of
29 Education to participate in grant programs related to
30 education technology, including, but not limited to,
31 grants under Sections 51877 and 51881, research and
32 development grants, and education technology
33 dissemination project grants. Regional consortia and
34 agencies may apply to the board to participate in the
35 grant program described in Section 51881. The State
36 Board of Education shall select grant recipients on the
37 basis of criteria recommended by the Education Council
38 for Technology in Learning.

39 SEC. 10. Section 51877 of the Education Code is
40 amended to read:



1 51877. (a) School-based education technology grants
2 shall be provided to school districts and county offices of
3 education, as specified in Section 51876, for the purposes
4 of developing, adapting, or expanding existing
5 technological applications to support general education,
6 English acquisition, and non-English-speaking parent
7 education programs. Priority shall be given to applicants
8 whose projects involve collaboration with a
9 postsecondary education institution.

10 (b) Funding shall be allocated on a per project basis,
11 based upon pupil enrollment at the applicant schoolsite.

12 (c) Not less than 30 percent of each project's funding
13 shall be used for staff development, local planning, and
14 evaluation activities.

15 (d) Each grant recipient is encouraged to solicit
16 resources from business and industry.

17 (e) Each grant recipient shall develop a technology
18 use plan, as follows:

19 (1) The plan shall be consistent with district level or
20 local planning for education technology, and, in the case
21 of school districts, and county offices of education, shall
22 support the local and state curriculum frameworks.

23 (2) Each plan shall be developed in concert with local
24 planning procedures and plans, to include school
25 improvement plans, school development plans, and other
26 established state and federally mandated planning
27 procedures.

28 (3) Each plan shall include a planning, staff
29 development, and evaluation component.

30 (f) Each grant recipient shall provide an annual
31 evaluation to the appropriate governing body, and to the
32 Education Council for Technology in Learning on the
33 level of implementation, and the impact of the project on
34 teaching and learning.

35 (g) The minimum funding level for necessary small
36 schools that receive funding pursuant to Article 4
37 (commencing with Section 42280) of Chapter 7 of Part 24
38 shall not be less than four thousand dollars (\$4,000) per
39 school, adjusted annually for inflation.



1 SEC. 11. Section 51878 of the Education Code is
2 repealed.

3 SEC. 12. Section 51879 of the Education Code is
4 repealed.

5 SEC. 13. Section 51880 of the Education Code, as
6 added by Section 2 of Chapter 1309 of the Statutes of 1992,
7 is repealed.

8 SEC. 14. Section 51881 of the Education Code, as
9 added by Section 2 of Chapter 1309 of the Statutes of 1992,
10 is amended to read:

11 51881. Grants shall be provided to regional consortia
12 and agencies to assist in the planning, implementation,
13 and evaluation of comprehensive support services for
14 schools, including, but not limited to, staff development,
15 information management and dissemination, technical
16 assistance, telecommunications infrastructure
17 development, and coordination with other federal, state,
18 and local programs. Regional consortia shall also assist
19 school districts and county offices of education to plan for
20 and implement school-based education technology
21 grants as specified in Sections 51876 and 51877.

22 SEC. 15. Section 51882 of the Education Code, as
23 added by Section 2 of Chapter 1309 of the Statutes of 1992,
24 is repealed.

25 ~~SEC. 16. Section 51883 of the Education Code is~~
26 ~~repealed.~~

27 ~~SEC. 17. Section 51883 is added to the Education~~
28 ~~Code, to read:~~

29 ~~51883. The California Education Technology Trust~~
30 ~~Fund is hereby created in the State Treasury for purposes~~
31 ~~of this article.~~

32 ~~SEC. 18.—~~

33 *SEC. 16. The State Allocation Board is hereby*
34 *authorized and empowered to make the allocations*
35 *described in Section 17 of this act.*

36 *SEC. 17. (a) On or after January 1, 1993, the Public*
37 *Utilities Commission is authorized to allocate thirty-five*
38 *million dollars (\$35,000,000) for the purpose of*
39 *telecommunications infrastructure development in*
40 *public schools, including the development of the*



1 *infrastructure, the purchase or lease of computer*
2 *hardware or the acquisition of software, and staff*
3 *development, as described in the Commission’s Decision,*
4 *94-08-030, issued August 3, 1994, in the Matter of the*
5 *Investigation on the Commission’s own motion into the*
6 *Pacific Telesis Group’s Spinoff Proposal (hereafter*
7 *“Commission’s Decision”). The Public Utilities*
8 *Commission shall order that thirty-five million dollars*
9 *(\$35,000,000) from moneys being held pursuant to the*
10 *Commission’s Decision be deposited into the California*
11 *Education Technology Trust Fund created pursuant to*
12 *Section ~~51883~~ 11601 of the Education Code. The*
13 *thirty-five million dollars (\$35,000,000) deposited into the*
14 *California Education Technology Trust Fund pursuant to*
15 *this section is hereby appropriated to the State*
16 *Department of Education Office of Public School*
17 *Construction without regard to fiscal year for allocation*
18 *by the State Board of Education, Allocation Board for*
19 *education technology as specified in Article 15*
20 *(commencing with Section 51870) of Chapter 5 of Part 28*
21 *of the Education Code.*

22 *(b) allocation as follows:*

23 *(1) An amount equal to 6.0 percent of the amounts*
24 *transferred pursuant to this section shall be allocated for*
25 *staff development technology grants described in Section*
26 *11607 of the Education Code.*

27 *(2) An amount equal to 2.12 percent of the moneys*
28 *transferred pursuant to this section shall be allocated for*
29 *the purpose of the demonstration technology grant*
30 *program described in Section 11609 of the Education*
31 *Code.*

32 *(3) An amount equal to 89.0 percent of the moneys*
33 *transferred pursuant to this section shall be allocated for*
34 *the technology implementation grants described in*
35 *Section 11605 of the Education Code.*

36 *(4) An amount equal to 1.88 percent of the moneys*
37 *transferred pursuant to this section shall be allocated for*
38 *the technology implementation grants described in*
39 *Section 11606 of the Education Code.*



1 (5) *An amount equal to 1.0 percent of the moneys*
2 *transferred pursuant to this section shall be allocated to*
3 *the Office of Public School Construction for the*
4 *administration of Chapter 17 (commencing with Section*
5 *11600) of Part 7.5 of the Education Code.*

6 (b) *It is the intent of the Legislature that the*
7 *mechanism of allocating moneys for education*
8 *technology set forth in subdivision (a) shall only be*
9 *applicable to the moneys described in that subdivision*
10 *and shall not be applicable to the allocation of any other*
11 *moneys for education technology under the*
12 *Morgan-Farr-Quackenbush Education Technology Act*
13 *of 1992.*

14 (c) *This section shall not become operative until the*
15 *California Supreme Court issues its decision in Assembly*
16 *of the State of California v. Public Utilities Commission,*
17 *No. S044844, or the court's stay in that matter is otherwise*
18 *lifted.*

19 ~~SEC. 19.~~

20 *SEC. 18. Except as to funds authorized to be allocated*
21 *pursuant to ~~subdivision (a)~~ Section 17, it is not the intent*
22 *of the Legislature to authorize the Public Utilities*
23 *Commission to allocate any rate refunds or money*
24 *derived from rate refunds for program purposes rather*
25 *than to reimburse those funds to ratepayers.*

26 *SEC. 19. This act shall become operative only if*
27 *Assembly Bill 1519 of the 1995-96 Regular Session of the*
28 *Legislature is enacted and enacts the Education*
29 *Technology Grant Program Act of 1996. If Assembly Bill*
30 *1519 is not enacted, or as enacted does not enact the*
31 *Education Technology Grant Program Act of 1996, this*
32 *act shall not become operative.*

33 *SEC. 20. This act is an urgency statute necessary for*
34 *the immediate preservation of the public peace, health,*
35 *or safety within the meaning of Article IV of the*
36 *California Constitution and shall go into immediate*
37 *effect. The facts constituting the necessity are:*

38 *In order to make funds available at the earliest possible*
39 *time for purposes of urgently needed education*



- 1 *technology for public schools, it is necessary that this act*
- 2 *take effect immediately.*

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