

AMENDED IN SENATE MAY 6, 1998  
AMENDED IN SENATE APRIL 29, 1998  
AMENDED IN ASSEMBLY MARCH 12, 1998  
AMENDED IN ASSEMBLY FEBRUARY 25, 1998

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1652**

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**Introduced by Assembly Member Sweeney**  
**(Coauthors: Assembly Members Alquist, Baca, Honda, Keeley, Knox, Kuehl, Lempert, Mazzoni, Ortiz, and Shelley)**  
(Coauthors: Senators Alpert and Watson)

January 8, 1998

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An act to amend Sections 51871, 51872, 51874, 51875, and 51876 of, to amend and renumber Sections 51881 and 51884 of, to add Section 51871.5 to, and to repeal Sections 51870, 51873, 51877, and 51883 of, the Education Code, relating to education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1652, as amended, Sweeney. Education technology.  
Existing law, known as the Morgan-Farr-Quackenbush Education 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. The act establishes the Education Council for Technology in Learning

with various duties, ~~including the recommendation of standards and procedures to the State Board of Education for administration of the act and the administration of the California Technology Assistance Project.~~ Existing law provides for the repeal of the act as of June 30, 1998.

This bill would make the act inoperative on June 30, 2003, and would repeal it as of January 1, 2004.

This bill would revise the responsibilities of the Education Council for Technology in Learning. The bill would authorize the council to make policy recommendations in areas which include statewide planning for education technology, including a statewide master plan for use of education technology in the elementary and secondary instructional program ~~and school administration~~, dissemination of technology resources, and development of guidelines for ongoing comprehensive statewide evaluation of all technology, telecommunications, and distance learning programs that directly and indirectly affect California education *in kindergarten and grades 1 to 12, inclusive*. The bill would ~~increase~~ *decrease* the number of council members ~~to 15 from 13 to 11~~ and change the appointment process for future members of the council.

The bill would require the State Department of Education to establish the California Technology Assistance Project, to be composed of regional consortia, that would administer a regionalized network of technical assistance to schools and school districts on the implementation of education technology and provide *at the request of school districts and county offices of education*, leadership and support activities for school districts and county offices of education in order to meet ~~local~~ *locally defined* technology-based needs. The bill would also make various technical and conforming changes in these provisions.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes. State-mandated local program: no.



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

1 ~~SECTION 1. Section 51870 of the Education Code is~~  
2 ~~repealed.~~

3 SECTION 1. Section 51870 of the Education Code is  
4 repealed.

5 SEC. 2. Section 51871 of the Education Code is  
6 amended to read:

7 51871. For the purposes of this article, the following  
8 terms shall have the following meanings, unless the  
9 context otherwise requires:

10 (a) “Council” means the Education Council for  
11 Technology in Learning established by Section 51872.

12 ~~(b) “Education segments” means the public~~  
13 ~~elementary and secondary school system, the community~~  
14 ~~college system, the California State University, and the~~  
15 ~~University of California.~~

16 ~~(c)~~

17 (b) “Technology” means technology-based materials,  
18 equipment, systems, and networks.

19 SEC. 3. Section 51871.5 is added to the Education  
20 Code, to read:

21 51871.5. (a) *It is the intent of the Legislature that*  
22 *education technology planning be accomplished in the*  
23 *most comprehensive cost-effective manner possible. To*  
24 *that end, the current practice of developing education*  
25 *technology plans for each funding program should be*  
26 *replaced with one comprehensive local planning process*  
27 *that will provide direction for the utilization of any*  
28 *available education technology program.*

29 (b) By December 31, 1998, the council shall  
30 recommend guidelines and criteria to the State Board of  
31 Education for assisting school districts in the preparation  
32 of five-year technology plans for the integration of  
33 technology into the school curriculum. At a minimum,  
34 the technology plans shall be integrated, *where allowed*  
35 *by law*, with School Improvement Plans and Title I Plans  
36 and include a staff development and technical support  
37 component. The council shall recommend a process to  
38 the State Board of Education for certifying a school



1 district's technology plan. ~~The council may recommend~~  
2 ~~an education technology plan development and~~  
3 ~~certification process that is implemented with the~~  
4 ~~California Technology Assistance Project.~~

5 ~~(b)~~

6 (c) On or after January 1, 2000, a school district shall  
7 have a certified technology plan as a precondition of  
8 receiving any technology grant administered by a ~~state~~  
9 ~~agency~~ *the State Department of Education. This*  
10 *requirement may be waived by the State Board of*  
11 *Education if it is determined that the applicant school*  
12 *district made a good faith effort to develop a certified*  
13 *local technology plan, but for reasons beyond its control,*  
14 *the district cannot develop the plan before receipt of the*  
15 *technology grant.*

16 ~~(e)~~

17 (d) The State Department of Education shall maintain  
18 a record of school districts that have obtained approved  
19 five-year education technology plans, and shall make that  
20 information available to any interested public agencies.

21 SEC. 4. Section 51872 of the Education Code is  
22 amended to read:

23 51872. The Education Council for Technology in  
24 Learning is hereby established to make policy  
25 recommendations *to the State Board of Education* in  
26 areas including, but not necessarily limited to, all of the  
27 following:

28 (a) Statewide planning for education technology,  
29 including a statewide master plan for use of education  
30 technology in California's elementary and secondary  
31 instructional program ~~and school administration~~, which,  
32 at a minimum, accomplishes all of the following:

33 (1) ~~Defines a~~ A process for annually updating the plan  
34 according to changing educational needs and emerging  
35 technological developments.

36 (2) ~~Emphasizes the~~ The use of multiple technologies.

37 (3) ~~Provides for the coordination of technology~~  
38 ~~programs with all other state education programs,~~  
39 ~~including, but not necessarily limited to, school~~  
40 ~~improvement programs, staff development programs,~~



1 statewide pupil assessment, teacher preparation  
2 initiatives, curriculum standards, and programs that  
3 address pupils with special needs, including blind and  
4 disabled pupils.

5 ~~(4) Provides for the integration of all state and federal~~  
6 ~~educational initiatives, including technology.~~

7 ~~(5) Provides for the~~

8 (3) *The coordination of technology programs with all*  
9 *other appropriate state education programs including*  
10 *programs for blind and disabled pupils.*

11 (4) *The integration of technology into all state and*  
12 *federal education initiatives where appropriate.*

13 (5) *The active involvement of business and industry.*

14 (6) Provides for a comprehensive evaluation process  
15 that is aligned with the state's overall educational  
16 program evaluation system.

17 (7) Works with the California Technology Assistance  
18 Project to implement policies of the council to integrate  
19 technology into the curriculum.

20 (b) Dissemination of technology resources, including  
21 all of the following:

22 (1) The development, identification, and access to  
23 information about programs, products, and practices that  
24 meet content, quality, and established technical criteria.

25 (2) The development of guidelines for the regional  
26 and statewide dissemination of information and services  
27 through the California Technology Assistance Project.  
28 ~~These guidelines shall be used by the California~~  
29 ~~Technology Assistance Project in issuing requests for~~  
30 ~~proposals.~~

31 (c) The development of guidelines for ongoing  
32 comprehensive statewide evaluation of all technology,  
33 telecommunications, and distance learning programs  
34 that directly and indirectly affect California education *in*  
35 *kindergarten and grades 1 to 12, inclusive.*

36 SEC. 5. Section 51873 of the Education Code is  
37 repealed.

38 SEC. 6. Section 51874 of the Education Code is  
39 amended to read:



1 51874. (a) The Education Council for Technology in  
2 Learning shall consist of ~~15~~ *11* members who shall be  
3 appointed as follows:

4 (1) The Governor shall appoint nine at-large  
5 members.

6 (2) The Senate Committee on Rules shall appoint one  
7 at-large member.

8 (3) The Speaker of the Assembly shall appoint one  
9 at-large member.

10 (b) (1) Members shall serve two-year terms. No  
11 member shall serve for more than two terms.

12 (2) Notwithstanding paragraph (1), for council  
13 appointments commencing with the term beginning on  
14 July 1, 1998 only, five members appointed by the  
15 Governor shall serve a term of one year and six members  
16 shall serve a term of two years. ~~Council appointees shall  
17 determine who will serve a one-year term and who will  
18 serve a two-year term by drawing lots at the first meeting  
19 of the term beginning on July 1, 1998.~~ Members who are  
20 designated to serve either the two-year term or the  
21 one-year term may be reappointed to serve a second  
22 two-year term.

23 (c) Members shall be persons who have an expertise  
24 in education technology as an aid to teaching and  
25 learning and may include, but are not necessarily limited  
26 to, classroom teachers, school administrators, school  
27 librarians, library media teachers, citizens,  
28 representatives of institutions of higher education, and  
29 members of the business community.

30 (d) No private business entity shall have more than  
31 one of its officers or employees serving as a member of the  
32 council.

33 (e) Members shall serve without compensation,  
34 except that members shall be reimbursed for necessary  
35 reasonable expenses incurred in the performance of their  
36 duties.

37 (f) The members shall be subject to the  
38 conflict-of-interest provisions of the Political Reform Act  
39 of 1974, as set forth in Title 9 (commencing with Section  
40 81000) of the Government Code.



1 (g) The Executive Director of the California  
2 Postsecondary Education Commission, the President of  
3 the State Board of Education, the Executive Director of  
4 the Commission on Teacher Credentialing, and the  
5 Executive Director of the Curriculum Commission shall  
6 each appoint one nonvoting liaison to the Education  
7 Council for Technology in Learning.

8 (h) Funding to support the Education Council for  
9 Technology in Learning shall be provided through the  
10 annual Budget Act.

11 SEC. 7. Section 51875 of the Education Code is  
12 amended to read:

13 51875. (a) The State Department of Education shall  
14 administer this article. The duties of the department shall  
15 include, but *are* not necessarily ~~—be~~ limited to, the  
16 following:

17 (1) Assisting the Education Council for Technology in  
18 Learning to make recommendations to the State Board  
19 of Education on education technology plans, policies,  
20 programs, and activities.

21 (2) Providing support staff to the Education Council  
22 for Technology in Learning.

23 (3) Providing for the statewide coordination;  
24 ~~administration,~~ and evaluation of ~~collaborative~~ education  
25 technology programs and resources ~~—among—regional~~  
26 ~~groups, institutions of higher education, school districts,~~  
27 ~~businesses, and other agencies.~~

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

31 (b) Funding to support the activities enumerated in  
32 subdivision (a), including ~~centralized—statewide~~  
33 educational technology services *which are more*  
34 *efficiently and effectively delivered at a statewide level,*  
35 shall be provided to the State Department of Education  
36 through the annual Budget Act. The State Board of  
37 Education, ~~in—consultation~~ *after receiving a*  
38 *recommendation from the California Technology*  
39 *Assistance Project, and after consulting with the*  
40 Education Council for Technology in Learning, ~~the~~



1 ~~California Technology Assistance Project~~, and other  
2 interested parties, shall fund school districts and county  
3 offices of education to provide centralized statewide  
4 educational technology services *that address locally*  
5 *defined needs but that are more efficiently and*  
6 *effectively provided on a statewide basis.*

7 SEC. 8. Section 51876 of the Education Code is  
8 amended to read:

9 51876. School districts, county offices of education,  
10 and state special schools may apply to the State Board of  
11 Education to participate in grant programs related to  
12 education technology, including, but not limited to, staff  
13 development, research and development, and evaluation  
14 and dissemination of education technology resources.  
15 ~~The State Board of Education shall select grant recipients~~  
16 ~~on the basis of criteria recommended by the Education~~  
17 ~~Council for Technology in Learning.~~

18 SEC. 9. Section 51877 of the Education Code is  
19 repealed.

20 SEC. 10. Section 51881 of the Education Code is  
21 amended and renumbered to read:

22 51877.5. (a) The California Technology Assistance  
23 Project shall be established by the State Department of  
24 Education to administer a regionalized network of  
25 technical assistance to schools and school districts on the  
26 implementation of education technology as set forth in  
27 policies of the State Board of Education. The California  
28 Technology Assistance Project shall be composed of  
29 regional consortia that will provide *at the request of*  
30 *school districts and county offices of education,*  
31 leadership and support activities for school districts and  
32 county offices of education in order to meet ~~local~~ *locally*  
33 *defined* technology-based needs, *as identified in the*  
34 *certified technology plans for their client school districts,*  
35 including, but not necessarily limited to, all of the  
36 following areas:

- 37 (1) Staff development.
- 38 (2) Learning resources.
- 39 (3) Hardware.
- 40 (4) Telecommunications infrastructure.



1 (5) Technical assistance to school districts in  
2 developing a support system to operate and maintain an  
3 education technology infrastructure, including  
4 improving pupil record keeping and tracking related to  
5 pupil instruction.

6 ~~(6) Improving the efficiency of school administration~~  
7 ~~in areas including, but not necessarily limited to, the~~  
8 ~~tracking of pupil attendance, recording of grades, and~~  
9 ~~maintaining other administrative records.~~

10 ~~(7)–~~

11 (6) Coordination with other federal, state, and local  
12 programs.

13 ~~(8)–~~

14 (7) Funding.

15 (b) The State Board of Education shall award grants to  
16 fund a school district or county office of education in each  
17 region of the California Technology Assistance Project to  
18 act as the lead agency to administer the services of that  
19 region. The lead agency shall be chosen through a  
20 competitive process based on all of the following:

21 (1) Knowledge of technology.

22 (2) Technology planning and technical assistance.

23 (3) A proven record of success in providing staff  
24 development in technology and curriculum integration.

25 (4) A demonstrated ability to work collaboratively  
26 with school districts, *county offices of education*, and  
27 businesses in the region.

28 (5) The ability to deliver services specified in this  
29 article to all school districts and county offices of  
30 education in their region.

31 (6) The degree of support for the application by school  
32 districts and county offices of education in the region.

33 (7) *Review of the annual report of the services*  
34 *provided by the lead agency submitted to the State Board*  
35 *of Education and school districts and county offices of*  
36 *education within the California Technology Assistance*  
37 *Project region. School districts and county offices of*  
38 *education within a California Technology Assistance*  
39 *Project region shall have the opportunity to comment on*  
40 *the report.*



1 (c) Funding to support the regional education  
2 technology services provided by the California  
3 Technology Assistance Project shall be provided through  
4 the annual Budget Act. Funding of the regional lead  
5 agencies shall be approved by the State Board of  
6 Education based on adopted guidelines.

7 SEC. 11. Section 51883 of the Education Code is  
8 repealed.

9 SEC. 12. Section 51884 of the Education Code is  
10 amended and renumbered to read:

11 51878. This article shall become inoperative on June  
12 30, 2003, and, as of January 1, 2004, is repealed, unless a  
13 later enacted statute, that becomes operative on or  
14 before January 1, 2004, deletes or extends the dates on  
15 which it becomes inoperative and is repealed.

16 SEC. 13. This act is an urgency statute necessary for  
17 the immediate preservation of the public peace, health,  
18 or safety within the meaning of Article IV of the  
19 Constitution and shall go into immediate effect. The facts  
20 constituting the necessity are:

21 In order to continue to implement the Digital High  
22 School Education Technology Grant Program,  
23 established pursuant to Chapter 8.5 (commencing with  
24 Section 52250) of Part 28 of the Education Code, it is  
25 necessary that this act take effect immediately.

