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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair  
2021 - 2022 Regular

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<b>Bill No:</b>	SB 767	<b>Hearing Date:</b>	April 14, 2021
<b>Author:</b>	Becker		
<b>Version:</b>	April 5, 2021		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Lynn Lorber		

**Subject:** Educational technology: Digital Education Equity Program: school district educational technology plans: statewide educational technology services plan.

### SUMMARY

This bill (a) establishes the Digital Education Equity Program to be administered by the California Department of Education (CDE) to provide a regionalized network of technical assistance to schools and school districts on the implementation of education technology; (b) requires the State Board of Education to authorize grants to fund lead county offices of education to administer the services to school districts and county offices of education located within that region; (c) requires the Superintendent of Public Instruction (SPI) to develop guidelines and criteria for including local education technology plans as a component of a local control and accountability plan; (d) requires CDE to establish an Office of Educational Technology; (e) require the newly established Office of Educational Technology to prepare a comprehensive State Digital Equity Plan; (f) appropriates \$21 million for the purposes of this bill.

### BACKGROUND

Existing law:

- 1) Establishes in the state government a State Department of Education, and provides that the Department of Education be administered through:
  - a) The State Board of Education which shall be the governing and policy determining body of the department.
  - b) The Director of Education in whom all executive and administrative functions of the department are vested and who is the executive officer of the State Board of Education. (Education Code § 33300 and § 33301)
- 2) Provides that the Superintendent of Public Instruction is ex officio Director of Education. (EC § 33303)
- 3) Requires a Superintendent of Public Instruction to be elected by the qualified electors of the State at each gubernatorial election. (California Constitution, Article IX, § 2)

### ANALYSIS

This bill (a) establishes the Digital Education Equity Program to be administered by CDE to provide a regionalized network of technical assistance to schools and school districts on the implementation of education technology; (b) requires the SBE to authorize grants to fund lead county offices of education to administer the services to school districts and county offices of education located within that region; (c) requires the SPI to develop guidelines and criteria for including local education technology plans as a component of a local control and accountability plan; (d) requires CDE to establish an Office of Educational Technology; (e) require the newly established Office of Educational Technology to prepare a comprehensive State Digital Equity Plan; (f) appropriates \$21 million for the purposes of this bill. Specifically, this bill:

*Digital Education Equity Program (DEEP)*

- 1) Establishes DEEP, to be administered by CDE, to provide a regionalized network of technical assistance to schools and school districts on the implementation of education technology as set forth in policies of SBE.
- 2) Provides that DEEP is to be composed of existing 11 regional consortia of county offices of education, and will work collaboratively with school districts and county offices of education to meet locally defined educational needs that may be effectively addressed with the use of technology, including but not limited to, all of the following areas:
  - a) Professional development for teachers, school administrators, and technical support staff.
  - b) Establishing effective distance learning to include hybrid strategies combining school and home.
  - c) Digital resource selection and use for school or for online instruction, or for both.
  - d) Digital network infrastructure and needed bandwidth for schools and homes.
  - e) Technical assistance to school districts in developing a support system to operate and maintain an education technology infrastructure, including improving student recordkeeping and tracking related to student instruction.
  - f) Planning and coordination with, and support for, the local funding and implementation of federal, state, and local programs.
  - g) Accessing and using a variety of funding sources for instructional technology.
  - h) Technical assistance and information to support access, planning, and the use of high-speed telecommunications networks.
  - i) Technology planning and implementation assistance to rural and technologically underserved school districts and county offices of education.

- j) Assistance in the use of online instruction to replace or supplement classroom instruction when necessary, and to establish online and hybrid learning proficiency for teachers.
- k) Helping to ensure that online and hybrid instruction is aligned to the state's academic content standards and incorporates related student learning assessment.
- l) Assisting school districts in developing an instructional technology component integrated into the local control and accountability plan (LCAP).
- m) Collaboration with CDE in the development and implementation of a comprehensive state digital equity plan.

#### *DEEP Regional Leads*

- 3) Requires SBE, with recommendations from CDE, to authorize grants to fund a county office of education in each of the 11 existing regional consortia of county offices of education, to act as the lead agencies to administer the services to school districts and county offices of education located within that region.
- 4) Prohibits the term of a grant from exceeding three years, yet authorizes grants to be awarded and received for subsequent three-year terms.
- 5) Requires the lead agency for each region to be chosen based on the extent to which it provides a plan that clearly documents or describes all of the following:
  - a) Knowledge of technology to improve teaching and learning.
  - b) Technology planning and technical assistance.
  - c) Proven success in providing professional development in technology and curriculum integration.
  - d) An ability to work collaboratively with school districts, county offices of education, and businesses in the region.
  - e) The ability to deliver services specified in this article to all school districts and county offices of education in its region.
  - f) The support of school districts and county offices of education for the regional lead agency application in the region.
  - g) Specific strategies for documenting and addressing the needs of rural schools and technologically underserved school districts and county offices of education.
  - h) A plan for evaluating the implementation of, access to, use of, and local impact of, the services provided by the region.

- i) The capacity to assist in the use of online instruction to replace or supplement classroom instruction when necessary.
  - j) A commitment to help ensure that online and hybrid instruction is aligned to the state's academic content standards and incorporates related student learning assessments.
  - k) The capacity to assist school districts in developing an instructional technology component that is integrated into the local control and accountability plan.
- 6) Requires the lead agency, in order to receive funding for the second and subsequent years of a grant, to submit an annual report to the SBE for approval that describes the services provided, the persons served, and the funds expended for those services in the prior year. This bill requires that school districts and county offices of education within a DEEP region have an opportunity to comment on the report.

*Educational technology plan & LCAPs*

- 7) States legislative intent that each school district develop an educational technology plan as a component of its LCAP.
- 8) Requires the SPI, by an unspecified date, to develop guidelines and criteria for including the education technology plan as a component of a LCAP. This bill requires the guidelines and criteria to include, but not be limited to, units designed to educate students and their teachers about all of the following:
- a) Strategies designed to equip students with the skills necessary to succeed in distance learning.
  - b) The appropriate and ethical use of technology tools in the classroom.
  - c) Internet safety.
  - d) The manner in which to avoid committing plagiarism.
  - e) The concept, purpose, and significance of a copyright.
  - f) Strategies for increasing parent engagement and digital literacy for families.
  - g) Documentation of the need for establishing equity of digital access by families to enable pupils to complete school work at home through online distance learning.
  - h) Increasing digital leadership capacity for school district and school administrators.
- 9) Requires the educational technology plan to also include a documented needs analysis that leads the school district to providing teachers with training and

support on effective online and hybrid learning strategies, addresses student and teacher connectivity, digital citizenship for students and staff, data privacy implications, cybersecurity and online safety, and information documenting the total cost of ownership or replacement of appropriate technological devices.

#### *Office of Educational Technology*

- 10) Require CDE to establish an Office of Educational Technology with sufficient staff to administer the provisions of this bill.
- 11) Provides that funding for the Office of Educational Technology is to be provided through the annual Budget Act for a minimum of three full-time equivalent staff to plan, coordinate, and support, as needed, the provisions of this bill.

#### *State Digital Equity Plan*

- 12) Requires CDE to prepare a comprehensive State Digital Equity Plan that reflects the overall needs and priorities related to the planning, implementation, and evaluation of the access and use of technology to support teaching and learning.
- 13) Requires the plan to be prepared with input from LEAs and other stakeholders, and be submitted to, and approved by, SBE.
- 14) Requires the focus of the State Digital Equity Plan to be on how best to meet locally defined educational needs that can be effectively addressed with the use of technology.
- 15) Requires CDE, in order to prepare the plan, to collect data on the technology needs of LEAs, including but not limited to, their digital infrastructure needs and the estimated needs of their students for computing devices and for internet connectivity adequate for at-home learning.
- 16) Requires the plan to include, but not necessarily be limited to, findings and recommendations related to all of the following topics:
  - a) Professional development for teachers, school administrators, and technical support staff.
  - b) Establishing effective distance learning to include hybrid strategies combining school and home.
  - c) Digital resource selection and usage for school or for online instruction, or for both.
  - d) Digital network infrastructure and needed bandwidth for schools and homes.
  - e) Technical assistance to school districts in developing a support system to operate and maintain an education technology infrastructure, including improving student recordkeeping and tracking related to student instruction.

- f) Planning and coordination with, and support for, the local funding and implementation of federal, state, and local programs.
  - g) Accessing and using a variety of funding sources for instructional technology.
  - h) Technical assistance and information to support access, planning, and the use of high-speed telecommunications networks.
  - i) Technology planning and implementation assistance to rural and technologically underserved school districts and county offices of education.
  - j) Assistance in the use of online instruction to replace or supplement classroom instruction when necessary, or both, and to establish online and hybrid learning proficiency for teachers.
  - k) Helping to ensure that online and hybrid instruction is aligned to the state's academic content standards and incorporates related student learning assessment.
  - l) Coordinate with education stakeholders at school districts and county offices of education to identify support needs for the DEEP and to develop a needed support structure in all of the following areas:
    - i) Professional development for teachers, school administrators, and support staff.
    - ii) Connectivity solutions.
    - iii) Dedicated device funding.
  - m) Providing for the statewide coordination, planning, and evaluation of education technology programs and resources.
  - n) Providing sufficient staff to provide ongoing support, direction, and coordination of the regional and statewide educational technology services described in this bill.
  - o) Advancing the use of technology in the curriculum and in the administration of elementary and secondary schools.
  - p) Providing ongoing planning, funding, and policy information to the directors for planning and distribution to school districts served by the region.
  - q) Coordinating educational technology planning, policies, and information with other divisions of CDE to include but not be limited to, curriculum, assessment, technical support, budget, and professional development.
- 17) Requires the SPI, by January 31, 2022, to submit the plan to SBE for adoption, and requires SBE adopt the plan by March 31, 2022.

*Funding*

- 18) Requires funding to be provided through the annual Budget Act to the SPI to provide centralized statewide educational technology services that address locally defined needs and are more efficiently and effectively provided on a statewide basis.
- 19) Requires, beginning with the 2025–26 fiscal year, the provisions of this bill to be operative only in fiscal years when sufficient funding for its implementation is appropriated in the Budget Act or in another statute.
- 20) Appropriates \$18,000,000, without regard to fiscal years, from the General Fund to CDE for the planned implementation of educational technology services by the 11 existing regional consortia of county offices of education.
- 21) Provides that the receipt of a grant by each regional consortium of county offices of education is contingent on the consortium having a plan approved by CDE.
- 22) Provides that the funding level provided to each consortium is to be based on criteria developed by CDE.
- 23) Appropriates \$3,000,000, without regard to fiscal years, from the General Fund to CDE for purposes of the development, preparation, submission, and adoption of the State Digital Equity Plan.

*Miscellaneous*

- 24) Authorizes CDE to contract with a county office of education to provide specific educational technology services that may include but are not limited to, any or all of the following:
  - a) Review of electronic learning resources, including but not limited to, software, online resources, and video, for alignment with the content standards adopted by SBE and for the results of reviews to be accessible online, as needed by all public educators in the state.
  - b) Professional development focused on digital school leadership for educational administrators in the areas of data-driven analytics, equity, and accessibility, integrating technology into standards-based curriculum, technology planning, professional development needs of staff, digital citizenship and privacy, and financial planning for technology.
  - c) Access for schools to training, support, and other resources for technical professionals in the state.
- 25) Requires the SPI to annually submit a written report to SBE and the Legislature on the services provided, persons served, and funds expended for purposes of this bill, and the extent to which the objectives of the State Digital Equity Plan were attained in the immediately preceding year.

- 26) Includes the following definitions:
- a) “Educational technology” means technology-based materials, equipment, systems, and networks used for an educational purpose.
  - b) “Local educational agency” means a county office of education, school district, or charter school.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “COVID-19 has created an urgent need for educational technology and online instruction. The pandemic has also exacerbated inequities in school readiness to implement distance learning. While online or distance learning cannot replace classroom instruction, due to COVID-19 school closures, most districts have attempted to move to online instruction at home. However, online instruction is only effective if educators and administrators have access, and knowledge to integrate online tools into aligned curriculum and instruction.

“The *Local Control Funding Formula* (LCFF) had eliminated programs including regional COE educational technology support services. Without regional educational support services, online instruction is not equitably supported and implemented by schools across the State. Furthermore, the effort by the State to support necessary connectivity, devices, and professional development needs to be increased—at least to the level prior to LCFF. Now is the time to take action by restoring educational technology and online learning support resources statewide. Doing so will increase *tech equity* across school districts and reduce duplicative efforts.

“Teachers and administrators want access to up-to-date professional learning experiences to integrate effectively the technology and instruction. Administrators want guidance procuring effective educational technology as well as managing student information. These conclusions are strongly supported by a recent statewide survey of 238 school administrators, conducted prior to COVID related school closures. Over half of the educators indicated that the COE was the major source of support for teachers and administrators to address their tech needs.”

- 2) ***Statewide planning and coordination.*** Upon the closure of schools to in-person instruction in March of 2020, the CDE worked quickly to conduct surveys of each school district to determine individual student needs with regard to devices and connectivity, as well as serve as a clearinghouse of sorts to initiate donations and facilitate delivery to schoolsites. There was no statewide plan or regional system of support in place to serve as a basis for this work.

Additionally, the SPI formed the Closing the Digital Divide Task Force in spring 2020 to identify needed resources, strengthen partnerships to support distance learning, and equip all California students with computing devices and connectivity. <https://www.cde.ca.gov/eo/in/digitaldivide.asp>

As is mentioned in the author's stated need for this bill, a system of educational technology support services used to exist at both the state and regional levels, known as the Educational Technology program, including the California Technology Assistance Project (CTAP) and Statewide Education Technology Services (SETS). Funding for these programs, projects and services were "flexed" and subsumed into the LCFF; they are no longer directly funded.

As the LCFF was being implemented and program funding was flexed, former SPI Torlakson formed the Education Technology Task Force in 2012, which submitted recommendations to the SPI to begin the process of preparing an education technology blueprint.

<https://www.cde.ca.gov/eo/in/documents/efftmemo.pdf>

*Empowering Learning: A Blueprint for California Education Technology 2014-2017* was released in 2014.

<https://www.cde.ca.gov/eo/in/documents/yr14bp0418.pdf> Many of the recommendations of the Blueprint are included in this bill.

- 3) **Local control and accountability plans.** This bill states legislative intent that each school district develop an educational technology plan as a component of its LCAP, and requires the SPI to develop guidelines and criteria for including the education technology plan as a component of a LCAP. *Should educational technology plans be linked with the LCAP, and possibly be used as an indicator to identify schools for differentiated assistance by the state?*
- 4) **Two-pronged approach.** This bill requires the development of a statewide educational technology plan, including a needs assessment, while also establishing a network of lead agencies to administer the services to school districts and county offices of education located within that region. On one hand, it appears reasonable to first conduct the needs assessment prior to establishing a network or system, yet on the other hand, many schools and students remain in desperate need of assistance. It may be warranted to proceed with some level of assistance prior to completion of the needs assessment.
- 5) **Statutorily creates new Office within CDE.** This bill requires CDE to establish an Office of Educational Technology with sufficient staff to administer the provisions of this bill, and provides that funding for the Office is to be provided through the annual Budget Act for a minimum of three full-time equivalent staff to plan, coordinate, and support, as needed, the provisions of this bill. *Should the Legislature dictate the organizational structure and staffing for a state department that is led by a constitutional officer?*
- 6) **Prior legislation.** ACR 268 (Thurmond, Resolution Chapter 221, Statutes of 2018) resolved that the Legislature considers education technology of the highest priority and that the Legislature convene a state level summit conference to address improvements in education technology and related topics.

## SUPPORT

Marin County Office of Education

San Mateo County Office of Education  
Solano County Office of Education

**OPPOSITION**

None received

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