

SENATE BILL REPORT

E2SHB 1365

As Passed Senate - Amended, April 22, 2021

Title: An act relating to procuring and supporting appropriate computers and devices for public school students and instructional staff.

Brief Description: Procuring and supporting appropriate computers and devices for public school students and instructional staff.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Gregerson, Stonier, Ramos, Callan, Simmons, Johnson, J., Taylor, Lovick, Leavitt, Ortiz-Self, Berg, Fitzgibbon, Ryu, Morgan, Wicks, Tharinger, Duerr, Ormsby, Hansen, Berry, Dolan, Valdez, Cody, Bronoske, Senn, Bateman, Bergquist, Kloba, Riccelli, Davis, Macri, Ramel, Harris-Talley, Pollet and Sells).

Brief History: Passed House: 3/1/21, 59-39.

Committee Activity: Early Learning & K-12 Education: 3/15/21, 3/17/21 [DP-WM, w/oRec].

Ways & Means: 3/31/21, 4/02/21 [DPA, DNP, w/oRec].

Floor Activity: Passed Senate - Amended: 4/10/21, 36-13; 4/22/21, 30-19.

Brief Summary of Amended Bill

- Requires each educational service district to provide technology consultation, procurement, and training to local public schools, in consultation with teacher-librarians.
- Directs the Office of the Superintendent of Public Instruction (OSPI) to develop and administer a technology grant program to attain a universal 1:1 student-to-learning-device ratio, expand technical support and training of school staff and develop capacity to assist students and their families with accessing and using technology to support student learning.
- Requires OSPI to collect data related to technology initiatives and to report data and recommendations to the appropriate policy and fiscal

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committees of the Legislature.

- Directs OSPI to survey districts, collect data, and report to the Legislature on the use of funds generated by technology levies.
- Requires OSPI to establish a grant program for supporting media literacy and digital citizenship.
- Requires OSPI to convene two regional conferences on the subject of media literacy and digital citizenship.
- Mandates that at least one grant awarded in each award cycle must be for developing and utilizing a curriculum that contains a focus on synthetic media.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hunt, Mullet and Pedersen.

Minority Report: That it be referred without recommendation.

Signed by Senators Hawkins, Ranking Member; Dozier and McCune.

Staff: Benjamin Omdal (786-7442)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Carlyle, Conway, Darneille, Dhingra, Hasegawa, Hunt, Keiser, Lias, Mullet, Pedersen, Van De Wege and Wellman.

Minority Report: Do not pass.

Signed by Senators Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Schoesler, Assistant Ranking Member, Capital; Gildon, Wagoner and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senators Braun, Muzzall and Rivers.

Staff: Jeffrey Naas (786-7708)

Background: State Education Technology Plan. In 1993, the Legislature directed the Office of the Superintendent of Public Instruction (OSPI), to the extent state funds are

appropriated, to develop, implement, and update every two years, a state K-12 education technology plan. "Education technology" is defined as the effective use of electronic and optical tools, including telephones, and electronic and optical pathways to help students learn.

The stated purpose of the technology plan is to coordinate and expand use of education technology in the common schools of the state. At a minimum, the plan must address:

- the provision of technical assistance to schools and school districts for planning, implementation, and training staff in the use of technology in curricular and administrative functions;
- the continued development of a network to connect school districts, institutions of higher learning, and other sources of online information; and
- methods to equitably increase use of education technology by students and school personnel throughout the state.

To assist with development and implementation of the technology plan, OSPI was directed to appoint an educational technology advisory committee.

Regional Educational Technology Support Centers. The 1993 legislation directed the educational service districts (ESDs) to establish, subject to available funding, regional educational technology support centers for providing ongoing educator training, school district cost-benefit analysis, long-range planning, network planning, distance learning access support, and other technical and programmatic support. The state has not provided funding for these centers since 2013.

Teacher-Librarians. School library and information technology programs are defined in Washington law as school-based programs staffed by a certificated teacher-librarian. Teacher-librarians are required to collaborate as instructional partners with content goals in all subject areas and to assist high school students with high school and beyond plans required for graduation. Other duties include integrating information and technology into curriculum and instruction, and instructing students in critical information consumption.

Digital Citizenship and Media Literacy. Current state law defines digital citizenship as the norms of appropriate, responsible, and healthy behavior related to current technology use, including digital and media literacy, ethics, etiquette, and security. The term also includes the ability to access, analyze, evaluate, develop, produce, and interpret media, as well as Internet safety and cyberbullying prevention and response.

Media literacy, according to OSPI, is the ability to access, analyze, evaluate, create, and act using a variety of forms of communication.

In 2016, the Legislature required OSPI to convene an advisory group to identify successful practices and recommend media literacy and digital citizenship improvements statewide. The Legislature also directed the Washington State School Directors Association to create

model policies on electronic sources and Internet safety, and in 2017, tasked OSPI with providing online resources in these areas.

In addition, each school district must annually review its policy and procedures on electronic resources and Internet safety. In doing so, the district must consider, among other things, best practices, resources, and models for instruction in digital citizenship, Internet safety, and media literacy, including methods to involve parents.

Recent Appropriation. The 2019-21 operating budget allocated \$150,000 in each fiscal year to establish the media literacy grant program. The 2020 supplemental operating budget appropriated an additional \$70,000 for five media literacy pre-conferences that coincide with OSPI's regional conferences in social studies, English language arts, health, and technology. The supplemental budget also directed OSPI to develop a plan for identifying and supporting a group of 100 K-12 media literacy champions from across the state. These provisions in the supplemental budget were vetoed by the Governor.

Synthetic Media. Advances in machine learning led to the development of technology where a person in an existing image or video is replaced with another's likeness and techniques to generate new synthetic audio of a person's speech based on past recordings of the person. Media created through machine learning to falsely depict a person's speech or conduct are known as deepfakes.

Summary of Amended Bill: Educational Service Districts Technology Consultation, Procurement, and Training. Each ESD must provide technology consultation, procurement, and training to local public schools and school districts, in consultation with teacher-librarians through school library information and technology programs.

Consultation involves providing technical assistance and guidance to local school districts related to technology needs and financing, and may include consultation with other entities. Training aspects include developing and offering direct services to local school districts related to staff development and capacity building to provide digital navigation services to students and their families.

Technology procurement involves negotiating for local school district purchasing and leasing of learning devices and peripheral devices, including management systems, cybersecurity protection, device insurance, and other technology-related goods and services. Procurement may be performed in consultation with the Department of Enterprise Services.

ESDs must also cooperate with OSPI to provide required data.

The Office of the Superintendent of Public Instruction Technology Grant Program. OSPI must develop and administer a technology grant program, subject to appropriation, to advance the following objectives:

- attain a universal 1:1 student-to-learning-device ratio;
- expand technical support and training of school and district staff to use technology to support student learning; and
- develop district and school-based capacity to assist students and their families in accessing and using technology to support student learning.

When ranking and selecting applicants, OSPI must prioritize:

- applicants without preexisting programs to provide a device for every student and that have 30 percent or more students eligible for free and reduced-price meals; and
- applicants with students who have specialized technology needs.

Public schools, school districts, ESDs, the Washington Center for Deaf and Hard of Hearing Youth, and the State School for the Blind may apply to OSPI for a grant under the program. Applications must include specific information, including the applicant's technology plan for accomplishing the goals of the program, certain demographic information, and information on any specialized technology needs.

The Office of the Superintendent of Public Instruction Data Collection. OSPI shall collect and analyze demographic, distribution, and other data related to technology initiatives, as well as provide a biennial survey on school and school district progress accomplishing the objectives of the technology grant program created under this bill.

By November 1, 2022, and by November 1st every even year thereafter, OSPI shall provide a report to the appropriate policy and fiscal committees of the Legislature with a summary of this collected data, the status of the state's and districts' progress in accomplishing the objectives of the technology grant program, and recommendations for improving the administration and oversight of technology initiatives.

The report must also include an update on innovative and collaborative activities occurring in communities across the state to support widespread public technology literacy and fluency, as well as student universal access to learning devices.

Technology Levy Funds Survey. By November 1, 2022, OSPI must survey districts, collect data and provide a report to the appropriate policy and fiscal committees of the Legislature that contains, at a minimum:

- a list of districts that have a separate technology levy;
- the total amount of funding generated by the technology levies; and
- a detailed breakdown of how the funds generated by the technology levies are being used, including the number of devices purchased, personnel costs, and any training or professional development

The Office of the Superintendent of Public Instruction Media Literacy and Digital Citizenship Grant Program. OSPI shall establish a grant program for supporting media literacy and digital citizenship through school district leadership teams. Leadership teams

in this program are to develop a curriculum unit on media literacy, digital citizenship, or both, that may be integrated into social studies, English language arts, or health. The curriculum unit must be made available as an open educational resource.

School districts in the program are expected to evaluate the unit they develop, and are encouraged to work with school district teacher-librarians or a library information technology program, if applicable. A school district that receives a grant under the program is not prohibited from receiving a grant in subsequent grant cycles.

Media Literacy Professional Learning Communities. Up to ten grants a year must be for establishing media literacy professional learning communities to share best practices in the subject of media literacy. These grant recipients are required to develop an online presence for their community to model new strategies and collaborate, and must attend group meetings convened by OSPI to share best practices and strategies.

Synthetic Media. At least one grant awarded in each award cycle must be for developing and using a curricula that contains a focus on synthetic media as a major component.

Regional Conferences on Media Literacy and Digital Citizenship. Subject to funding, OSPI shall convene two regional conferences on the subject of media literacy and digital citizenship. The conferences should highlight work performed by recipients of the grant program created under the bill. The locations for these conferences must include one site in western Washington and one site in eastern Washington.

Repealer. Statutes related to education technology plans and regional education technology support centers, as well as associated intent language and funding provisions are repealed.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose. The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Engrossed Second Substitute House Bill (Early Learning & K-12 Education): PRO: This bill helps address multiple areas of digital equity. This bill is a well thought-out policy that seeks to attain 1:1 devices for all students. COVID-19 has laid bare the educational and technological needs of students. The issue of technological access requires a concerted statewide effort. The bill recognizes the roles that ESDs can play in assisting smaller school districts. Many staff and students will benefit from this legislation. The bill is a result of collaborations and discussions on this

issue. The bill maximizes investments while targeting those with the greatest need.

OTHER: Grant funding should be developed to focus on instruction. Additional language might be needed to clarify grant requirements.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Mia Gregerson, Prime Sponsor; Angela Jones, Washington STEM; Logan Endres, Washington State School Directors' Association; Heidi Bennett, Washington State PTA; Dennis Small, Office of Superintendent of Public Instruction; Carolyn Logue, Washington Library Association; Will Daugherty, Pacific Science Center.

OTHER: Cherry Myers, Lummi Indian Business Council.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):
No one.

Staff Summary of Public Testimony on the Bill as Amended by Early Learning & K-12 Education (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: This bill create efficiencies for procuring technology and brings in expertise to help school districts with training and support needs.

Persons Testifying (Ways & Means): PRO: Carolyn Logue, Washington Library Association.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.