The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL:	CS/SB 1264
INTRODUCER:	Education Pre-K - 12 Committee and Senator Legg
SUBJECT:	Digital Classrooms
DATE:	April 20, 2015
REVISED:	

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bailey	Klebacha	ED	**Fav/CS**
2.	Sikes	Elwell	AED	**Recommend: Fav/CS**
3.	Sikes	Kynoch	AP	**Pre-meeting**

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1264 provides a mechanism for comparing the status of digital readiness of school districts and public schools, which is independently verified, based on technology infrastructure standards and targets identified by the Agency for State Technology (AST or agency) or a professional organization that the agency contracts with (contracted organization). The digital readiness of school districts must be assessed using a digital readiness scorecard and uniform definitions of technology infrastructure components established by the Department of Education (DOE) in consultation with the agency.

Specifically, the bill requires the AST, or a contracted organization, to consult with the DOE to identify technology infrastructure standards and targets for the implementation of digital classrooms in Florida. The bill also specifies certain requirements for the agency, contracted organization, the DOE, school districts, and charter schools to successfully implement state and local digital classrooms plans to improve student performance outcomes.

The bill has an estimated cost of $11.5 million. This cost is derived primarily from the staff augmentation that AST, or the contracted organization, will require to identify technology infrastructure standards and targets; fulfill assessment and audit responsibilities necessary to perform retrospective analyses and provide prospective guidance; and report on the technology infrastructure status of all school districts and public schools in the state. Neither the bill nor SB 2500, the Senate's Fiscal Year 2015-2016 proposed General Appropriations Bill, appropriate funding for the requirements specified in the bill.

The bill provides an effective date of July 1, 2015.

II. Present Situation:

Florida Digital Classrooms Allocation

In 2014, the Legislature elevated policy and funding for technology-enhanced classroom teaching and learning by creating the Florida digital classrooms allocation (allocation) to support efforts and strategies of school districts and public schools in integrating technology into classroom instruction to improve student performance outcomes.[1] In response to the 2014 legislation that created the allocation,[2] the Department of Education (DOE or department) adopted a Strategic Technology Plan establishing the general parameters for digital classrooms which are used by the by the district school boards to adopt their district digital classrooms plan.[3] For the 2014-2015 fiscal year, the Legislature appropriated $40 million to school districts to support digital classrooms.[4] A minimum of $250,000 was provided to each school district and the remaining balance was allocated based on each district's share of the state's total unweighted student enrollment.[5]

State Digital Classrooms Plan

The Office of Technology and Information Services, within the DOE, is responsible for developing a 5-year strategic plan (state plan) that must:[6]

- Describe how technology will be integrated into classroom teaching and learning to improve student performance outcomes and prepare students to be digital learners.
- Establish minimum technology requirements that include specifications for hardware, software, devices, networking, security, and bandwidth capacity and guidelines for the ratio of students per device.
- Establish minimum requirements for professional development opportunities and training to assist district instructional personnel staff with integrating technology into classroom teaching.
- Identify the types of digital tools and resources that can assist district instructional personnel and staff in management, assessment, and monitoring of student learning and performance.

The DOE must update the state plan annually by January 1st.[7]

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[1] Section 1011.62(12)(a), F.S.
[2] Sections 5 and 27, ch. 2014-56, L.O.F.
[3] Florida Department of Education, *FDOE Digital Classrooms Plan*, http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.stml (last visited March 6, 2015); *see* ss. 1001.20(4) and 1011.62(12)(b), F.S. The Department of Education (DOE) has provided to school districts, technical assistance memo and guidance document regarding digital classrooms. Florida Department of Education, *Digital Classrooms Plan (DCP) and Allocation*, http://www.fldoe.org/about-us/division-of-technology-info-services/bureau-of-edu-tech.stml (last visited March 9, 2015).
[4] Specific Appropriation 96, s. 2, ch. 2014-51, LO.F.
[5] *Id*.
[6] Section 1001.20(4)(a)1., F.S.
[7] Section 1001.20(4)(a)1., F.S

Technology Integration Matrix

To assist with integrating technology into curriculum, the DOE has prepared a Technology Integration Matrix (TIM)[8] for teachers to use technology to enhance learning by:[9]

- Providing a framework for defining and evaluating technology integration;
- Setting a clear vision for effective teaching with technology;
- Giving teachers and administrators a common language for setting goals; and
- Helping target professional development resources effectively.

District Digital Classrooms Plan

The 2014 legislation required each district school board to adopt a district digital classrooms plan (DCP) that meets the unique needs of students, schools, and personnel and submit the district DCP to the DOE for approval.[10] By permitting the customization of district digital classrooms plan to meet local needs, the legislation promoted local control of targeted and purposeful technology enhancements in Florida's classrooms. At a minimum, the district DCPs must be updated annually to include the following:[11]

- Measurable student performance outcomes, including the outcomes for students with disabilities.
- Digital learning and technology infrastructure purchases and operational activities including, but not limited to, connectivity, broadband access, wireless capacity, internet speed, and data security, all of which must meet or exceed the minimum requirements and protocols established by the department.
- Professional development purchases and operational activities including, but not limited to, using technology in the classroom and improving digital literacy and competency.
- Digital tool purchases and operational activities including, but not limited to, competency-based credentials that measure and demonstrate digital competency and certifications; third-party assessments that demonstrate acquired knowledge and use of digital applications; and devices that meet or exceed the minimum requirements and protocols established by the department.
- Online assessment-related purchases and operational activities including, but not limited to, expanding the capacity to administer assessments and compatibility with minimum assessment requirements and protocols established by the department.

Each district superintendent must certify to the Commissioner of Education (commissioner) that "the district school board has approved a comprehensive district digital classrooms plan that

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[8] Florida Department of Education, *Presentation to the Florida Senate Appropriations Subcommittee on Education* (March 4, 2015), *available at* http://www.flsenate.gov/PublishedContent/Committees/2014-2016/AED/MeetingRecords/MeetingPacket_2873.pdf, at 115 of 120.

[9] Florida Department of Education, *The Technology Integration Matrix*, http://fcit.usf.edu/matrix/index.php (last visited March 10, 2015). The five interdependent characteristics of meaningful learning environments are: active, constructive, goal directed (i.e., reflective), authentic, and collaborative. The five levels of technology integration (i.e., entry, adoption, adaptation, infusion, and transformation) with each of the five characteristics of meaningful learning environments. Together, the five levels of technology integration and the five characteristics of meaningful learning environments create a matrix of 25 cells to set a clear vision for effective teaching with technology. Florida Department of Education, *The Technology Integration Matrix* (March 9, 2015), *available at* http://fcit.usf.edu/matrix/matrix.php.

[10] Section 1011.62(12)(b), F.S.

[11] *Id*.

supports the fidelity of implementation of the Florida digital classrooms allocation."[12] In addition, each district's DCP must include a formal verification of the district superintendent's approval of the DCP for each charter school in the district.[13] The DOE must approve the DCPs before distributing the allocation funds to the school districts.[14]

For the 2014-2015 school year, the deadline for submitting district DCPs was October 1, 2014.[15] All 67 district school boards have submitted their district DCP and the DOE has approved all district DCPs.[16] For the 2015-2016 school year and each year thereafter, the district school boards must submit their district DCPs annually by March 1.[17]

In addition to submitting DCPs, beginning in the 2015-2016 fiscal year, each district school board must report to the department its use of allocation funds and student performance outcomes.[18] The department may contract with an independent third-party entity to conduct an annual independent verification of the district's use of allocation funds in accordance with the district's DCP.[19] If an independent third-party verification is not conducted, the Auditor General must, during scheduled operational audits of school districts, verify compliance of the use of allocation funds in accordance with the district's DCP.[20]

Annually, by October 1, beginning in the 2015-2016 fiscal year, the commissioner must provide to the Governor, President of the Senate, and Speaker of the House of Representatives, a summary of each district's use of funds, student performance outcomes, and progress toward meeting statutory requirements and timelines.[21]

III. Effect of Proposed Changes:

The bill provides a mechanism for assessing and comparing the status of digital readiness of school districts and public schools based on technology infrastructure standards and targets identified by the Agency for State Technology (AST or agency) or a professional organization that the agency contracts with (contracted organization). The digital readiness of school districts must be assessed using a digital readiness scorecard and uniform definitions of technology infrastructure components established by the Department of Education (DOE or department) in consultation with the agency.

Specifically, the bill requires the AST, or a contracted organization, to consult with the department to identify technology infrastructure standards and targets for the implementation of digital classrooms in Florida. This provision will likely facilitate a collaboration between AST, the agency that establishes the standards for the most efficient use of state's information

[12] Section 1011.62(12)(c), F.S.
[13] Section 1011.62(12)(b)5(c), F.S.
[14] *Id.*
[15] Section 1011.62(12)(b), F.S.
[16] Florida Department of Education, *Approved Districts' Digital Classroom Plans*, http://www.fldoe.org/about-us/division-of-technology-info-services/dcp.stml (last visited March 6, 2015).
[17] Section 1011.62(12)(b), F.S.
[18] Section 1011.62(12)(e), F.S.
[19] *Id.*
[20] *Id.*
[21] *Id.*

technology resources,[22] and the DOE, the department that is familiar with public schools' instructional needs. The bill also specifies certain requirements for the agency, contracted organization, the DOE, school districts, and charter schools to successfully implement state and local digital classrooms plans to improve student performance outcomes.

Requirements for the Agency for State Technology

The AST was established in 2014 by the Legislature to oversee the state's essential technology projects and is responsible for establishing standards and processes for information technology (IT).[23] The agency is responsible for establishing technology architecture standards to provide the most efficient use of the state's IT resources which must include, but not be limited to, performance measurements and metrics that objectively reflect the status of an IT project based on a defined and documented scope, cost, and schedule.[24]

In addition to identifying the technology infrastructure standards and targets, the bill requires AST, or a contracted organization, to:

- Perform retrospective analyses of the DOE's 5-year strategic plan for establishing Florida digital classrooms and the districts' and charter schools' digital classrooms plans for the 2014-2015 and 2015-2016 school years to determine the status of technology infrastructure and digital readiness of school districts. The retrospective analyses will likely provide the state with an independent assessment of the districts' and schools' technology infrastructure and digital readiness status and needs. Currently, technology readiness data are self-reported by the school districts. In addition, the retrospective analyses will likely assist with identifying gaps in technology infrastructure relative to the identified standards and targets. The bill requires school districts to be assessed using a digital readiness scorecard to provide a mechanism for comparing the status of school districts' digital readiness.
- Provide prospective planning guidance and technical assistance to the department, school districts, and public schools regarding identified gaps in technology infrastructure and recommended improvements to meet the standards and targets identified by AST or a contracted organization. The guidance and technical assistance will likely help the DOE, school districts, and public schools to make strategic and purposeful investments in technology infrastructure.
- Submit a report annually, by October 1, to the Governor, President of the Senate, and Speaker of the House of Representatives, summarizing the status of technology infrastructure and recommending strategies for improving cost efficiencies and maximizing the state's and school districts' investments in technology to establish digital classrooms. The annual report, which AST must provide to the Commissioner of Education (commissioner) by September 1 of each year, will likely help to inform the state about the school districts' and public schools' technology infrastructure status and progress toward meeting the technology

[22] Section 282.0051(2), F.S. The Agency for State Technology is responsible for developing and publishing "information technology policy for the management of the state's information technology resources." Section 282.0051(1), F.S.
[23] Section 10, ch. 2014-221, L.O.F.; Agency for State Technology, *About Us*, http://www.ast.myflorida.com/about.asp (lasted visited March 9, 2015) Information technology means " equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form." Section 282.0041, F.S.
[24] Section 282.0051(2)-(3), F.S.

infrastructure standards and targets that are identified by AST or a contracted organization in consultation with the DOE. Additionally, the recommendations regarding cost efficiencies may help inform strategic budgetary investments in technology infrastructure.

Requirements for the Department of Education

The bill specifies requirements for the DOE regarding incorporating the identified technology infrastructure standards and targets in the department's 5-year strategic plan (state plan), establishing uniform definitions of technology infrastructure components, creating a digital readiness scorecard, and providing access to statewide procurement service agreements:

- The DOE must include the identified technology infrastructure standards and targets in the state plan for successful implementation of digital classrooms to improve student performance outcomes. In addition to the components that must be included in the state plan, which are specified in law,[25] the bill clarifies that the state plan must also identify minimum technology infrastructure requirements in consultation with AST. The minimum technology infrastructure requirements will likely help the school districts and public schools strategically plan for technology investments and allocate funds purposefully.
- The DOE must coordinate with AST to facilitate school districts' access to statewide procurement service agreements. Access to competitively procured service agreements may result in cost savings and efficiencies for the school districts.
- The DOE must consult with AST to establish uniform definitions of technology infrastructure components which must be incorporated into the state plan. The uniform definitions must also be used by charter schools that seek Florida digital classrooms allocation funds and by each district school board in the technology information submitted annually to the DOE. Uniform definitions will allow for comparability of technology infrastructure components across school districts to assess the status of districts' digital readiness.
- The DOE must consult with AST to create a digital readiness scorecard to compare the digital readiness of school districts within the state. The scorecard must use the uniform definitions and identified technology infrastructure standards and targets identified by the department in consultation with AST. At a minimum, the scorecard must include the student-to-device ratio, the percentage of schools within each district that meet bandwidth standards, the percentage of classrooms within each district that must meet wireless standards, the refresh rate of devices, network capacity, information storage capacity, and information security services.

Requirements for School Districts

Beginning in the 2016-2017 school year, each school district must undergo retrospective and prospective analyses and annual independent verification of its use of Florida digital classrooms allocation funds (digital classrooms funds) for the district to be eligible to receive digital classrooms funds. An independent assessment of the districts' use of digital classrooms funds will likely help inform the state about school districts' technology needs and investments to improve student performance outcomes. Access to such information will also likely assist the state with budgetary decisions concerning school districts' and public schools' preparedness to

[25] Section 1001.20(4)(a)1., F.S.

integrate technology into classroom teaching and learning and administer computer-based assessments.

Requirements for Submitting Digital Classrooms Plans

The bill also makes modifications to the format and deadline for submitting digital classrooms plans:

- The DOE must develop a streamlined format for charter schools to use for submitting their digital classrooms plan. This process may result in creating a precise accountability measurement tool matching the charter school's mission, program, goals, students served, methods of assessment and ways to measure success of charter schools.[26]
- The commissioner must implement an online, web-based portal for school districts and charter schools to submit their digital classrooms plan. The online submission system may result in a cost-effective method for the school districts to timely report their digital classrooms plan information to the department.
- District school boards must submit their digital classrooms plan annually to the DOE by September 1, instead of the March 1 deadline which is the current statutory deadline. The September 1 deadline will likely assist the districts with budgetary planning by taking into consideration allocation funds appropriated for the next school year.

Finally, the bill clarifies that the annual report the commissioner must provide to the Governor, President of the Senate, and Speaker of the House of Representatives, by October 1 of each year, include a summary of each district's:

- Student performance goals and outcomes; and
- Use of funds in support of such goals and outcomes.

The clarification emphasizes that improving student performance outcomes should be the goal that drives technology integration in classroom teaching and learning.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

[26] Florida Department of Education, *General Information* (March 9, 2015), *available at* http://www.fldoe.org/schools/school-choice/charter-schools/charter-school-faqs.stml.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to information provided by the AST, the requirements specified in CS/SB 1264 will cost an estimated $11.5 million. This cost is derived primarily from the staff augmentation that AST, or the contracted organization, will require to identify technology infrastructure standards and targets; fulfill assessment and audit responsibilities necessary to perform retrospective analyses and provide prospective guidance; and report on the technology infrastructure status of all school districts and public schools in the state. Neither the bill nor SB 2500, the Senate's Fiscal Year 2015-2016 proposed General Appropriations Bill, appropriate funding for the requirements specified in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.20 and 1011.62.

This bill creates section 282.0052 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 on March 18, 2015:
The committee substitute maintains the original substance of SB 1264 with the following modifications:

- Requires the Department of Education's technology office to consult with the Agency for State Technology (AST) to:

- Establish uniform definitions of technology infrastructure components. The uniform definitions must be incorporated into the state and local digital classrooms plans and technology resources inventory.
- Create a digital readiness scorecard to compare school districts' digital readiness and include specified information in the scorecard.

- Modifies a requirement in the bill that requires AST, or an independent organization that the agency contracts with, to perform retrospective analyses of the state and local digital classrooms plans by clarifying that the retrospective analyses must also include an assessment of the digital readiness of school districts using the digital readiness scorecard.

B. Amendments:

None.