

SENATE BILL 770

F1, F5

11r0803
CF HB 717

By: **Senators Hester and Rosapepe**

Introduced and read first time: February 5, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Technology Resources – Funding**
3 **(Ending the Digital Divide Act)**

4 FOR the purpose of providing for the target per pupil foundation amount in a certain fiscal
5 year; requiring each county board of education to use a certain percentage of the
6 target per pupil foundation amount for certain purposes; authorizing a county board
7 to partner with certain organizations for a certain purpose; authorizing a county
8 board to hold certain funds in a special fund under a certain circumstance; requiring
9 a county board that allocates certain funding to follow certain information technology
10 security standards; providing for the intent of the General Assembly; requiring each
11 local school system to use certain federal funds for a certain purpose before using
12 local funds; altering a certain definition; and generally relating to technology funding
13 for local school systems.

14 BY repealing and reenacting, without amendments,
15 Article – Education
16 Section 5–202(a)(1)
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2020 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – Education
21 Section 5–202(a)(13)
22 Annotated Code of Maryland
23 (2018 Replacement Volume and 2020 Supplement)

24 BY adding to
25 Article – Education
26 Section 5–202(m)
27 Annotated Code of Maryland
28 (2018 Replacement Volume and 2020 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 **Article – Education**

4 5–202.

5 (a) (1) In this section the following words have the meanings indicated.

6 (13) “Target per pupil foundation amount” means:

7 (i) In fiscal years 2008, 2009, and 2010, \$6,694;

8 (ii) Except as provided in items (iii) [and], (iv), AND (V) of this
9 paragraph, in subsequent fiscal years:

10 1. The target per pupil foundation amount for the prior fiscal
11 year increased by the same percentage as the lesser of:

12 A. The increase in the implicit price deflator for State and
13 local government expenditures for the second prior fiscal year;

14 B. The Consumer Price Index for All Urban Consumers for
15 the Washington Metropolitan Area, or any successor index, for the second prior fiscal year;
16 or

17 C. 5%; or

18 2. If there is no increase in the implicit price deflator for
19 State and local government expenditures for the second prior fiscal year or in the Consumer
20 Price Index for All Urban Consumers for the Washington Metropolitan Area, or any
21 successor index, for the second prior fiscal year, the target per pupil foundation amount for
22 the prior fiscal year;

23 (iii) In fiscal year 2012, \$6,694; [and]

24 (iv) In each of fiscal years 2013 through 2015:

25 1. The target per pupil foundation amount for the prior fiscal
26 year increased by the same percentage as the lesser of:

27 A. The increase in the implicit price deflator for State and
28 local government expenditures for the second prior fiscal year;

1 B. The Consumer Price Index for All Urban Consumers for
2 the Washington–Baltimore metropolitan area, or any successor index, for the second prior
3 fiscal year; or

4 C. 1%; or

5 2. If there is no increase in the implicit price deflator for
6 State and local government expenditures for the second prior fiscal year or in the Consumer
7 Price Index for All Urban Consumers for the Washington–Baltimore metropolitan area, or
8 any successor index, for the second prior fiscal year, the target per pupil foundation amount
9 for the prior fiscal year; AND

10 **(V) IN FISCAL YEAR 2022, THE SUM OF:**

11 **1. \$7,390; AND**

12 **2. \$180 FOR TECHNOLOGY RESOURCES.**

13 **(M) (1) (I) EACH COUNTY BOARD SHALL USE NOT LESS THAN 7% OF**
14 **THE TARGET PER PUPIL FOUNDATION AMOUNT TO PROVIDE THE FOLLOWING FOR**
15 **STUDENTS:**

16 **1. LAPTOPS AND OTHER DEVICES;**

17 **2. INTERNET CONNECTIVITY;**

18 **3. TECHNICAL ASSISTANCE; AND**

19 **4. INFORMATION TECHNOLOGY SOFTWARE.**

20 **(II) EACH COUNTY BOARD MAY PARTNER WITH AN**
21 **ORGANIZATION FOR THE USE OF A DEVICE AS A SERVICE MODEL.**

22 **(2) AT THE END OF EACH FISCAL YEAR, ANY UNUSED FUNDS MAY BE**
23 **HELD IN A SPECIAL FUND BY A COUNTY BOARD TO BE USED IN A SUBSEQUENT FISCAL**
24 **YEAR.**

25 **(3) A COUNTY BOARD THAT ALLOCATES FUNDS IN ACCORDANCE WITH**
26 **THIS SUBSECTION SHALL FOLLOW ALL RELEVANT INFORMATION TECHNOLOGY**
27 **SECURITY STANDARDS SET BY THE DEPARTMENT OF INFORMATION TECHNOLOGY**
28 **IN ACCORDANCE WITH TITLE 3A, SUBTITLE 3 OF THE STATE FINANCE AND**
29 **PROCUREMENT ARTICLE.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General
2 Assembly that Maryland Education Enterprise Consortium contract agreements are
3 encouraged to include options for connectivity, hardware, software, maintenance of
4 physical equipment, and technical support resources.

5 SECTION 3. AND BE IT FURTHER ENACTED, That each local school system shall
6 use federal funds provided in the federal Consolidated Appropriations Act, 2021 (H.R. 133)
7 to increase the target per pupil foundation amount under § 5-202(a)(13)(v)2 of the
8 Education Article, as enacted by this Act, in fiscal year 2022 before using any local funds.

9 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2021.