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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/10/2015	.	
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Appropriations Subcommittee on Education (Legg) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsections (2), (7), and (10) of section  
282.0051, Florida Statutes, are amended to read:

282.0051 Agency for State Technology; powers, duties, and  
functions.—The Agency for State Technology shall have the  
following powers, duties, and functions:

(2) Establish and publish information technology



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11 architecture standards that:

12 (a) ~~to~~ Provide for the most efficient use of the state's  
13 information technology resources and that ~~to~~ ensure  
14 compatibility and alignment with the needs of state agencies.  
15 The agency shall assist state agencies in complying with the  
16 standards.

17 (b) Address for purposes of implementing digital classrooms  
18 under s. 1011.62(12) issues that include, but are not limited  
19 to, device recommendations, security requirements, connectivity  
20 requirements, and browser expectations. Such standards must be  
21 published by December 1, 2015.

22 (7) (a) Participate with the Department of Management  
23 Services in evaluating, conducting, and negotiating competitive  
24 solicitations for state term contracts for information  
25 technology commodities, consultant services, or staff  
26 augmentation contractual services pursuant to s. 287.0591.

27 (b) Collaborate with the Department of Management Services  
28 in information technology resource acquisition planning.

29 (c) Collaborate with the Department of Education and the  
30 Department of Management Services to identify:

31 1. State term contract procurement options that are  
32 available to school districts which provide information  
33 technology commodities, consultant services, or staff  
34 augmentation contractual services that support the information  
35 technology architecture standards applicable to digital  
36 classrooms.

37 2. Shared services available to school districts through  
38 the State Data Center to facilitate the implementation of school  
39 district digital classrooms plans.



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40           (10) (a) Beginning July 1, 2016, and annually thereafter,  
41 conduct annual assessments of state agencies to determine  
42 compliance with all information technology standards and  
43 guidelines developed and published by the agency, and beginning  
44 December 1, 2016, and annually thereafter, provide results of  
45 the assessments to the Executive Office of the Governor, the  
46 President of the Senate, and the Speaker of the House of  
47 Representatives.

48           (b) Include in the annual assessment of the Department of  
49 Education under paragraph (a), the status of statewide  
50 implementation of digital classrooms and each school district's  
51 status of compliance with the information technology  
52 architecture standards identified under paragraph (2) (b),  
53 planning guidance to address identified gaps, and  
54 recommendations for improving cost efficiencies pursuant to s.  
55 282.0052.

56           Section 2. Section 282.00515, Florida Statutes, is amended  
57 to read:

58           282.00515 Duties of Cabinet agencies.—The Department of  
59 Legal Affairs, the Department of Financial Services, and the  
60 Department of Agriculture and Consumer Services shall adopt the  
61 standards established in s. 282.0051(2) (a) ~~s. 282.0051(2)~~, (3),  
62 and (8) or adopt alternative standards based on best practices  
63 and industry standards, and may contract with the Agency for  
64 State Technology to provide or perform any of the services and  
65 functions described in s. 282.0051 for the Department of Legal  
66 Affairs, the Department of Financial Services, or the Department  
67 of Agriculture and Consumer Services.

68           Section 3. Section 282.0052, Florida Statutes, is created



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69 to read:

70 282.0052 Digital classrooms information technology  
71 architecture standards.—

72 (1) Beginning July 1, 2015, the Agency for State  
73 Technology, or an independent third-party professional  
74 organization that the agency contracts with, shall:

75 (a) Consult with the Department of Education to identify  
76 information technology architecture standards pursuant to s.  
77 282.0051 for the successful implementation of digital  
78 classrooms, pursuant to s. 1011.62(12), in public schools within  
79 the state beginning in the 2016-2017 school year. Such standards  
80 must include, but are not limited to, device recommendations,  
81 security requirements, connectivity requirements, and browser  
82 expectations.

83 (b) Perform an annual assessment of the state 5-year  
84 strategic plan developed pursuant to s. 1001.20 and school  
85 district digital classrooms plan adopted pursuant to s.  
86 1011.62(12) to determine the digital readiness of school  
87 districts and their compliance with the information technology  
88 architecture standards identified under paragraph (a). The  
89 digital readiness of school districts must be assessed using the  
90 digital readiness scorecard established under s. 1001.20(4)(a).

91 (c) Provide prospective planning guidance and technical  
92 assistance to the Department of Education, school districts, and  
93 public schools regarding identified gaps in technology  
94 infrastructure and recommended improvements to meet the  
95 information technology architecture standards identified under  
96 paragraph (a).

97 (d) Summarize and report, by May 1, 2016, for the 2015-2016



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98 school year, and by December 1 for each school year thereafter,  
99 to the Governor, the President of the Senate, and the Speaker of  
100 the House of Representatives:

101 1. The status of technology infrastructure of school  
102 districts and public schools within the state.

103 2. Recommendations for improving cost efficiencies and  
104 maximizing investments in technology by the state and school  
105 districts to establish digital classrooms.

106 (2) For the 2015-2016 school year, the Agency for State  
107 Technology must provide the status of technology infrastructure  
108 information regarding implementation of digital classrooms  
109 statewide and by each school district to the Commissioner of  
110 Education by April 1, 2016. For each school year thereafter, the  
111 status of technology infrastructure information must be provided  
112 to the commissioner by November 1 of each year.

113 (3) For the 2015-2016 school year, the Department of  
114 Education must provide to each school district the status of the  
115 statewide implementation of digital classrooms and the school  
116 district's status regarding compliance with the information  
117 technology architecture standards identified under paragraph  
118 (1)(a) by June 1, 2016. For each school year thereafter, the  
119 Department of Education must notify a school district regarding  
120 compliance with the information technology architecture  
121 standards by January 1 of each year. In addition, the Department  
122 of Education must provide planning guidance to address  
123 identified gaps and recommendations for improving cost  
124 efficiencies in accordance with subsection (1) to each school  
125 district. If the annual assessment indicates that a school  
126 district is not in compliance with the information technology



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127 architecture standards identified under paragraph (1)(a), the  
128 school district must, within 60 days from the date of receipt of  
129 such notification from the Department of Education become  
130 compliant; obtain an exemption to waive compliance from the  
131 Department of Education; or procure services through the agency  
132 or the Department of Management Services to achieve compliance.

133 Section 4. Paragraph (a) of subsection (4) of section  
134 1001.20, Florida Statutes, is amended to read:

135 1001.20 Department under direction of state board.—

136 (4) The Department of Education shall establish the  
137 following offices within the Office of the Commissioner of  
138 Education which shall coordinate their activities with all other  
139 divisions and offices:

140 (a) *Office of Technology and Information Services.*—

141 1. Responsible for developing a 5-year strategic plan, in  
142 consultation with the Agency for State Technology, to  
143 incorporate the minimum information technology architecture  
144 standards for the successful implementation of digital  
145 classrooms to improve student performance outcomes under s.

146 1011.62(12) ~~for establishing Florida digital classrooms by~~  
147 October 1, 2014, and annually updating the plan by January 1  
148 each year thereafter. The Florida digital classrooms plan shall  
149 be provided to each school district and published on the  
150 department's website. The plan must:

151 a. Describe how technology will be integrated into  
152 classroom teaching and learning to assist the state in improving  
153 student performance outcomes and enable all students in Florida  
154 to be digital learners with access to digital tools and  
155 resources.



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156           b. Identify minimum information technology architecture  
157 standards requirements, which ~~that~~ include specifications for  
158 hardware, software, devices, networking, security, and bandwidth  
159 capacity and guidelines for the ratio of students per device.  
160 The Office of Technology and Information Services shall consult  
161 with the Agency for State Technology in identifying minimum  
162 information technology architecture standards.

163           c. Establish minimum requirements for professional  
164 development opportunities and training to assist district  
165 instructional personnel and staff with the integration of  
166 technology into classroom teaching.

167           d. Identify the types of digital tools and resources that  
168 can assist district instructional personnel and staff in the  
169 management, assessment, and monitoring of student learning and  
170 performance.

171           2. Responsible for making budget recommendations to the  
172 commissioner, providing data collection and management for the  
173 system, assisting school districts in securing Internet access  
174 and telecommunications services, including those eligible for  
175 funding under the Schools and Libraries Program of the federal  
176 Universal Service Fund, and coordinating services with other  
177 state, local, and private agencies.

178           3. Responsible for coordinating with the Agency for State  
179 Technology to facilitate school districts' access to state term  
180 contract procurement options and shared services pursuant to s.  
181 282.0051(7)(c).

182           4. Responsible for consulting with the Agency for State  
183 Technology to establish uniform definitions of information  
184 technology architecture components which must be incorporated



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185 into the department's 5-year strategic plan. The uniform  
186 definitions must be incorporated by each charter school that  
187 seeks Florida digital classrooms allocation funds and by each  
188 district school board in the technology information annually  
189 submitted to the department which includes, but is not limited  
190 to, digital classroom plans and technology resources inventory.

191 5. Responsible for consulting with the Agency for State  
192 Technology to create a digital readiness scorecard to compare  
193 the digital readiness of school districts within the state. The  
194 scorecard must use the uniform definitions identified under this  
195 section and information technology architecture standards  
196 identified under s. 282.0052(1)(a). At a minimum, the scorecard  
197 must include the student-to-device ratio, the percentage of  
198 schools within each district that meet bandwidth standards, the  
199 percentage of classrooms within each district that meet wireless  
200 standards, the refresh rate of devices, network capacity,  
201 information storage capacity, and information security services.

202 Section 5. Paragraphs (b) through (e) of subsection (12) of  
203 section 1011.62, Florida Statutes, are amended to read:

204 1011.62 Funds for operation of schools.—If the annual  
205 allocation from the Florida Education Finance Program to each  
206 district for operation of schools is not determined in the  
207 annual appropriations act or the substantive bill implementing  
208 the annual appropriations act, it shall be determined as  
209 follows:

210 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

211 (b) Each district school board shall adopt a district  
212 digital classrooms plan that meets the unique needs of students,  
213 schools, and personnel and submit the plan for approval to the





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214 Department of Education. In addition, each district school board  
215 must, at a minimum, seek input from the district's  
216 instructional, curriculum, and information technology staff to  
217 develop the district digital classrooms plan. The district's  
218 plan must be within the general parameters established in the  
219 Florida digital classrooms plan pursuant to s. 1001.20. In  
220 addition, if the district participates in federal technology  
221 initiatives and grant programs, the district digital classrooms  
222 plan must include a plan for meeting requirements of such  
223 initiatives and grant programs. Funds allocated under this  
224 subsection must be used to support implementation of district  
225 digital classrooms plans. By August ~~October 1, 2014,~~ and by  
226 ~~March~~ 1 of each year ~~thereafter~~, on a date determined by the  
227 department, each district school board shall submit to the  
228 department, in a format prescribed by the department, a digital  
229 classrooms plan. At a minimum, such plan must include, and be  
230 annually updated to reflect, the following:

231 1. Measurable student performance outcomes. Outcomes  
232 related to student performance, including outcomes for students  
233 with disabilities, must be tied to the efforts and strategies to  
234 improve outcomes related to student performance by integrating  
235 technology in classroom teaching and learning. Results of the  
236 outcomes shall be reported at least annually for the current  
237 school year and subsequent 3 years and be accompanied by an  
238 independent evaluation and validation of the reported results.

239 2. Digital learning and technology infrastructure purchases  
240 and operational activities. Such purchases and activities must  
241 be tied to the measurable outcomes under subparagraph 1.,  
242 including, but not limited to, connectivity, broadband access,



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243 wireless capacity, Internet speed, and data security, all of  
244 which must meet or exceed minimum requirements and protocols  
245 established by the department. For each year that the district  
246 uses funds for infrastructure, a third-party, independent  
247 evaluation of the district's technology inventory and  
248 infrastructure needs must accompany the district's plan.

249 3. Professional development purchases and operational  
250 activities. Such purchases and activities must be tied to the  
251 measurable outcomes under subparagraph 1., including, but not  
252 limited to, using technology in the classroom and improving  
253 digital literacy and competency.

254 4. Digital tool purchases and operational activities. Such  
255 purchases and activities must be tied to the measurable outcomes  
256 under subparagraph 1., including, but not limited to,  
257 competency-based credentials that measure and demonstrate  
258 digital competency and certifications; third-party assessments  
259 that demonstrate acquired knowledge and use of digital  
260 applications; and devices that meet or exceed minimum  
261 requirements and protocols established by the department.

262 5. Online assessment-related purchases and operational  
263 activities. Such purchases and activities must be tied to the  
264 measurable outcomes under subparagraph 1., including, but not  
265 limited to, expanding the capacity to administer assessments and  
266 compatibility with minimum assessment protocols and requirements  
267 established by the department. If the administration of online  
268 assessments after January 1, 2015, does not comply with the  
269 minimum assessment protocols and requirements established by the  
270 department, the department shall contract with an independent  
271 auditing entity that has expertise in the area of the



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272 noncompliance to evaluate the extent of the noncompliance and  
273 provide recommendations to remediate the noncompliance in future  
274 administrations of online assessments.

275 (c) The Legislature shall annually provide in the General  
276 Appropriations Act the FEFP allocation for implementation of the  
277 Florida digital classrooms plan to be calculated in an amount up  
278 to 1 percent of the base student allocation multiplied by the  
279 total K-12 full-time equivalent student enrollment included in  
280 the FEFP calculations for the legislative appropriation or as  
281 provided in the General Appropriations Act. Each school district  
282 shall be provided a minimum of \$250,000, with the remaining  
283 balance of the allocation to be distributed based on each  
284 district's proportion of the total K-12 full-time equivalent  
285 student enrollment. Distribution of funds for the Florida  
286 digital classrooms allocation shall begin following submittal of  
287 each district's digital classrooms plan, which must include  
288 formal verification of the superintendent's approval of the  
289 digital classrooms plan of each charter school in the district,  
290 and approval of the plan by the department. A charter school  
291 shall submit the school's digital classrooms plan, in a  
292 streamlined format prescribed by the department, to the  
293 applicable school district. Prior to the distribution of the  
294 Florida digital classrooms allocation funds, each district  
295 school superintendent shall certify to the Commissioner of  
296 Education that the district school board has approved a  
297 comprehensive district digital classrooms plan that supports the  
298 fidelity of implementation of the Florida digital classrooms  
299 allocation. District allocations shall be recalculated during  
300 the fiscal year consistent with the periodic recalculation of



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301 the FEFP. School districts shall provide a proportionate share  
302 of the digital classrooms allocation to each charter school in  
303 the district, as required for categorical programs in s.  
304 1002.33(17)(b). A school district may use a competitive process  
305 to distribute funds for the Florida digital classrooms  
306 allocation to the schools within the school district. Beginning  
307 in the 2016-2017 school year, to be eligible to receive Florida  
308 digital classrooms allocation funds, a school district must  
309 undergo an annual assessment pursuant to s. 282.0052 and an  
310 annual independent verification of its use of Florida digital  
311 classrooms allocation funds pursuant to paragraph (e).

312 (d) To facilitate the implementation of the district  
313 digital classrooms plans and charter school digital classrooms  
314 plans, the commissioner shall support statewide, coordinated  
315 partnerships and efforts of this state's education practitioners  
316 in the field, including, but not limited to, superintendents,  
317 principals, and teachers, to identify and share best practices,  
318 corrective actions, and other identified needs. By August 1,  
319 2016, the commissioner shall implement an online, web-based  
320 portal for school districts and charter schools to submit their  
321 digital classrooms plan.

322 (e) Beginning in the 2015-2016 fiscal year and each year  
323 thereafter, each district school board and charter school shall  
324 report to the department its use of funds provided through the  
325 Florida digital classrooms allocation and student performance  
326 outcomes in accordance with the district's digital classrooms  
327 plan. The department may contract with an independent third-  
328 party entity to conduct an annual independent verification of  
329 the district's use of Florida digital classrooms allocation



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330 funds in accordance with the district's digital classrooms plan.  
331 In the event an independent third-party verification is not  
332 conducted, the Auditor General shall, during scheduled  
333 operational audits of the school districts, verify compliance of  
334 the use of Florida digital classrooms allocation funds in  
335 accordance with the district's digital classrooms plan. No later  
336 than October 1 of each year, beginning in the 2015-2016 fiscal  
337 year, the commissioner shall provide to the Governor, the  
338 President of the Senate, and the Speaker of the House of  
339 Representatives a summary of each district's student performance  
340 goals and outcomes, use of funds, in support of such student  
341 performance goals and outcomes, and progress toward meeting  
342 statutory requirements and timelines.

343 Section 6. Paragraph (d) of subsection (2) of section  
344 1011.71, Florida Statutes, is amended to read:

345 1011.71 District school tax.—

346 (2) In addition to the maximum millage levy as provided in  
347 subsection (1), each school board may levy not more than 1.5  
348 mills against the taxable value for school purposes for district  
349 schools, including charter schools at the discretion of the  
350 school board, to fund:

351 (d) The purchase, lease-purchase, or lease of new and  
352 replacement equipment; computer hardware, including electronic  
353 hardware and other hardware devices necessary for gaining access  
354 to or enhancing the use of electronic content and resources or  
355 to facilitate the access to and the use of a school district's  
356 digital classrooms plan pursuant to s. 1011.62, excluding  
357 software other than the operating system necessary to operate  
358 the hardware or device; and enterprise resource software



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359 applications that are classified as capital assets in accordance  
360 with definitions of the Governmental Accounting Standards Board,  
361 have a useful life of at least 5 years, and are used to support  
362 districtwide administration or state-mandated reporting  
363 requirements. Enterprise resource software may be acquired by  
364 annual license fees, maintenance fees, or lease agreements.

365 Section 7. For the 2015-2016 fiscal year, the sum of  
366 \$9,993,566 from the General Revenue Fund is appropriated in the  
367 "Special Categories - Contracted Services" appropriation  
368 category to the Agency for State Technology to conduct the  
369 agency's duties under s. 282.0051(10)(b) and (c), Florida  
370 Statutes.

371 Section 8. This act shall take effect July 1, 2015.

372  
373 ===== T I T L E A M E N D M E N T =====

374 And the title is amended as follows:

375 Delete everything before the enacting clause  
376 and insert:

377 A bill to be entitled  
378 An act relating to digital classrooms; amending s.  
379 282.0051, F.S.; requiring the Agency for State  
380 Technology to establish and publish information  
381 technology architecture standards for purposes of  
382 implementing digital classrooms by a specified date;  
383 requiring the agency to collaborate with the  
384 Department of Education and the Department of  
385 Management Services to identify certain state contract  
386 procurement options for services that support such  
387 standards and to identify certain shared services



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388 available through the State Data Center to facilitate  
389 the implementation of school district digital  
390 classrooms plans; requiring the agency's annual  
391 assessment of the Department of Education to review  
392 specified issues with respect to school district  
393 digital classrooms plans and to provide planning  
394 assistance to address and reduce issues identified by  
395 the assessment; amending s. 282.00515, F.S.;  
396 conforming a cross-reference to changes made by the  
397 act; creating s. 282.0052, F.S.; establishing  
398 requirements for the agency or a contracted  
399 organization with respect to the establishment and  
400 assessment of digital classrooms information  
401 technology architecture standards; requiring the  
402 agency or contracted organization to annually submit a  
403 report to the Governor and the Legislature;  
404 prescribing report requirements; requiring the agency  
405 to annually update the Commissioner of Education on  
406 the status of technology infrastructure; requiring the  
407 Department of Education to annually update school  
408 districts regarding compliance with information  
409 technology architecture standards and provide planning  
410 guidance; requiring a school district to take certain  
411 action in the event of noncompliance with information  
412 technology architecture standards; amending s.  
413 1001.20, F.S.; requiring the Office of Technology and  
414 Information Services of the Department of Education to  
415 consult with the Agency for State Technology in  
416 developing the 5-year strategic plan for Florida



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417 digital classrooms; removing an obsolete date;  
418 revising requirements for the 5-year strategic plan;  
419 expanding the list of responsibilities of the Office  
420 of Technology and Information Services; amending s.  
421 1011.62, F.S.; revising the date by which district  
422 school boards must annually submit a digital  
423 classrooms plan to the Department of Education;  
424 requiring the department to contract with an  
425 independent auditing entity in the event of  
426 noncompliance with minimum protocols and requirements  
427 in the administration of online assessments; requiring  
428 a charter school to submit the school's digital  
429 classrooms plan to the applicable school district;  
430 specifying required format for the plan; specifying  
431 conditions for a school district to maintain  
432 eligibility for Florida digital classrooms allocation  
433 funds; requiring the Commissioner of Education to  
434 implement an online portal for electronic submission  
435 of digital classrooms plans by a specified date;  
436 requiring a charter school to annually report to the  
437 department regarding the use of specified funds;  
438 revising requirements for the commissioner's annual  
439 report to the Governor and the Legislature regarding  
440 the digital classrooms plan; amending s. 1011.71,  
441 F.S.; authorizing enterprise resource software to be  
442 acquired by certain fees and agreements; providing an  
443 appropriation; providing an effective date.