

By the Committees on Appropriations; and Education Pre-K - 12;
and Senator Legg

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1 A bill to be entitled
2 An act relating to education; amending s. 282.0051,
3 F.S.; requiring the Agency for State Technology to
4 establish and publish information technology
5 architecture standards for purposes of implementing
6 digital classrooms by a specified date; requiring the
7 agency to collaborate with the Department of Education
8 and the Department of Management Services to identify
9 certain state contract procurement options for
10 services that support such standards and to identify
11 certain shared services available through the State
12 Data Center to facilitate the implementation of school
13 district digital classrooms plans; requiring the
14 agency's annual assessment of the Department of
15 Education to review specified issues with respect to
16 school district digital classrooms plans and to
17 provide planning assistance to address and reduce
18 issues identified by the assessment; amending s.
19 282.00515, F.S.; conforming a cross-reference to
20 changes made by the act; creating s. 282.0052, F.S.;
21 establishing requirements for the agency or a
22 contracted organization with respect to the
23 establishment and assessment of digital classrooms
24 information technology architecture standards;
25 requiring the agency or contracted organization to
26 annually submit a report to the Governor and the
27 Legislature; prescribing report requirements;
28 requiring the agency to annually update the
29 Commissioner of Education on the status of technology

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30 infrastructure; requiring the Department of Education
31 to annually update school districts regarding
32 compliance with information technology architecture
33 standards and provide planning guidance; requiring a
34 school district to take certain action in the event of
35 noncompliance with information technology architecture
36 standards; amending s. 1001.20, F.S.; requiring the
37 Office of Technology and Information Services of the
38 Department of Education to consult with the Agency for
39 State Technology in developing the 5-year strategic
40 plan for Florida digital classrooms; removing an
41 obsolete date; revising requirements for the 5-year
42 strategic plan; expanding the list of responsibilities
43 of the Office of Technology and Information Services;
44 amending s. 1001.42, F.S.; revising the powers and
45 duties of the district school board to authorize the
46 adoption of rules regarding procurement practices;
47 defining the term "electronic auction services";
48 amending s. 1006.27, F.S.; authorizing a district
49 school board's use of electronic auction services in
50 conjunction with bid pooling for school buses and
51 related purchases; amending s. 1011.62, F.S.; revising
52 the date by which district school boards must annually
53 submit a digital classrooms plan to the Department of
54 Education; revising minimum requirements for the
55 digital classrooms plan; requiring the department to
56 contract with an independent auditing entity in the
57 event of noncompliance with minimum protocols and
58 requirements in the administration of online

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59 assessments; requiring a charter school to submit the
60 school's digital classrooms plan to the applicable
61 school district; specifying required format for the
62 plan; specifying conditions for a school district to
63 maintain eligibility for Florida digital classrooms
64 allocation funds; requiring the Commissioner of
65 Education to implement an online portal for electronic
66 submission of digital classrooms plans by a specified
67 date; requiring a charter school to annually report to
68 the department regarding the use of specified funds;
69 revising requirements for the commissioner's annual
70 report to the Governor and the Legislature regarding
71 the digital classrooms plan; amending s. 1011.71,
72 F.S.; authorizing enterprise resource software to be
73 acquired by certain fees and agreements; providing an
74 effective date.

75

76 Be It Enacted by the Legislature of the State of Florida:

77

78 Section 1. Subsections (2), (7), and (10) of section
79 282.0051, Florida Statutes, are amended to read:

80 282.0051 Agency for State Technology; powers, duties, and
81 functions.—The Agency for State Technology shall have the
82 following powers, duties, and functions:

83 (2) Establish and publish information technology
84 architecture standards that:

85 (a) ~~to~~ Provide for the most efficient use of the state's
86 information technology resources and that ~~to~~ ensure
87 compatibility and alignment with the needs of state agencies.

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88 The agency shall assist state agencies in complying with the
89 standards.

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

95 (7) (a) Participate with the Department of Management
96 Services in evaluating, conducting, and negotiating competitive
97 solicitations for state term contracts for information
98 technology commodities, consultant services, or staff
99 augmentation contractual services pursuant to s. 287.0591.

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

102 (c) Collaborate with the Department of Education and the
103 Department of Management Services to identify:

104 1. State term contract or other local procurement options
105 that are available to school districts which provide information
106 technology commodities, consultant services, or staff
107 augmentation contractual services that support the information
108 technology architecture standards applicable to digital
109 classrooms.

110 2. Shared services available to school districts through
111 the State Data Center to facilitate the implementation of school
112 district digital classrooms plans.

113 (10) (a) Beginning July 1, 2016, and annually thereafter,
114 conduct annual assessments of state agencies to determine
115 compliance with all information technology standards and
116 guidelines developed and published by the agency, and beginning

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117 December 1, 2016, and annually thereafter, provide results of
118 the assessments to the Executive Office of the Governor, the
119 President of the Senate, and the Speaker of the House of
120 Representatives.

121 (b) Include in the annual assessment of the Department of
122 Education under paragraph (a), the status of statewide
123 implementation of digital classrooms and each school district's
124 status of compliance with the information technology
125 architecture standards identified under paragraph (2)(b),
126 planning guidance to address identified gaps, and
127 recommendations for improving cost efficiencies pursuant to s.
128 282.0052.

129 Section 2. Section 282.00515, Florida Statutes, is amended
130 to read:

131 282.00515 Duties of Cabinet agencies.—The Department of
132 Legal Affairs, the Department of Financial Services, and the
133 Department of Agriculture and Consumer Services shall adopt the
134 standards established in s. 282.0051(2)(a) ~~s. 282.0051(2)~~, (3),
135 and (8) or adopt alternative standards based on best practices
136 and industry standards, and may contract with the Agency for
137 State Technology to provide or perform any of the services and
138 functions described in s. 282.0051 for the Department of Legal
139 Affairs, the Department of Financial Services, or the Department
140 of Agriculture and Consumer Services.

141 Section 3. Section 282.0052, Florida Statutes, is created
142 to read:

143 282.0052 Digital classrooms information technology
144 architecture standards.—

145 (1) Beginning July 1, 2015, the Agency for State

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146 Technology, or an independent third-party professional
147 organization that the agency contracts with, shall:

148 (a) Consult with the Department of Education to identify
149 information technology architecture standards pursuant to s.
150 282.0051 for the successful implementation of digital
151 classrooms, pursuant to s. 1011.62(12), in public schools within
152 the state beginning in the 2016-2017 school year. Such standards
153 must include, but are not limited to, device recommendations,
154 security requirements, connectivity requirements, and browser
155 expectations.

156 (b) Perform an annual assessment of the state 5-year
157 strategic plan developed pursuant to s. 1001.20 and school
158 district digital classrooms plan adopted pursuant to s.
159 1011.62(12) to determine the digital readiness of school
160 districts and their compliance with the information technology
161 architecture standards identified under paragraph (a). The
162 digital readiness of school districts must be assessed using the
163 digital readiness scorecard established under s. 1001.20(4)(a).

164 (c) Provide prospective planning guidance and technical
165 assistance to the Department of Education, school districts, and
166 public schools regarding identified gaps in technology
167 infrastructure and recommended improvements to meet the
168 information technology architecture standards identified under
169 paragraph (a).

170 (d) Summarize and report, by May 1, 2016, for the 2015-2016
171 school year, and by December 1 for each school year thereafter,
172 to the Governor, the President of the Senate, and the Speaker of
173 the House of Representatives:

174 1. The status of technology infrastructure of school

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175 districts and public schools within the state.

176 2. Recommendations for improving cost efficiencies and
177 maximizing investments in technology by the state and school
178 districts to establish digital classrooms.

179 (2) For the 2015-2016 school year, the Agency for State
180 Technology must provide the status of technology infrastructure
181 information regarding implementation of digital classrooms
182 statewide and by each school district to the Commissioner of
183 Education by April 1, 2016. For each school year thereafter, the
184 status of technology infrastructure information must be provided
185 to the commissioner by November 1 of each year.

186 (3) For the 2015-2016 school year, the Department of
187 Education must provide to each school district the status of the
188 statewide implementation of digital classrooms and the school
189 district's status regarding compliance with the information
190 technology architecture standards identified under paragraph
191 (1) (a) by June 1, 2016. For each school year thereafter, the
192 Department of Education must notify a school district regarding
193 compliance with the information technology architecture
194 standards by January 1 of each year. In addition, the Department
195 of Education must provide planning guidance to address
196 identified gaps and recommendations for improving cost
197 efficiencies in accordance with subsection (1) to each school
198 district. If the annual assessment indicates that a school
199 district is not in compliance with the information technology
200 architecture standards identified under paragraph (1) (a), the
201 school district must, within 60 days from the date of receipt of
202 such notification from the Department of Education become
203 compliant; obtain an exemption to waive compliance from the

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204 Department of Education; or procure services through the agency
205 or the Department of Management Services to achieve compliance.

206 Section 4. Paragraph (a) of subsection (4) of section
207 1001.20, Florida Statutes, is amended to read:

208 1001.20 Department under direction of state board.—

209 (4) The Department of Education shall establish the
210 following offices within the Office of the Commissioner of
211 Education which shall coordinate their activities with all other
212 divisions and offices:

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

214 1. Responsible for developing a 5-year strategic plan, in
215 consultation with the Agency for State Technology, to
216 incorporate the minimum information technology architecture
217 standards for the successful implementation of digital
218 classrooms to improve student performance outcomes under s.
219 1011.62(12) for establishing Florida digital classrooms by
220 October 1, 2014, and annually updating the plan by January 1
221 each year thereafter. The Florida digital classrooms plan shall
222 be provided to each school district and published on the
223 department's website. The plan must:

224 a. Describe how technology will be integrated into
225 classroom teaching and learning to assist the state in improving
226 student performance outcomes and enable all students in Florida
227 to be digital learners with access to digital tools and
228 resources.

229 b. Identify minimum information technology architecture
230 standards requirements, which ~~that~~ include specifications for
231 hardware, software, devices, networking, security, and bandwidth
232 capacity and guidelines for the ratio of students per device.

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233 The Office of Technology and Information Services shall consult
234 with the Agency for State Technology in identifying minimum
235 information technology architecture standards.

236 c. Establish minimum requirements for professional
237 development opportunities and training to assist district
238 instructional personnel and staff with the integration of
239 technology into classroom teaching.

240 d. Identify the types of digital tools and resources that
241 can assist district instructional personnel and staff in the
242 management, assessment, and monitoring of student learning and
243 performance.

244 2. Responsible for making budget recommendations to the
245 commissioner, providing data collection and management for the
246 system, assisting school districts in securing Internet access
247 and telecommunications services, including those eligible for
248 funding under the Schools and Libraries Program of the federal
249 Universal Service Fund, and coordinating services with other
250 state, local, and private agencies.

251 3. Responsible for coordinating with the Agency for State
252 Technology to facilitate school districts' access to state term
253 contract procurement options and shared services pursuant to s.
254 282.0051(7)(c).

255 4. Responsible for consulting with the Agency for State
256 Technology to establish uniform definitions of information
257 technology architecture components which must be incorporated
258 into the department's 5-year strategic plan. The uniform
259 definitions must be incorporated by each charter school that
260 seeks Florida digital classrooms allocation funds and by each
261 district school board in the technology information annually

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262 submitted to the department which includes, but is not limited
263 to, digital classroom plans and technology resources inventory.

264 5. Responsible for consulting with the Agency for State
265 Technology to create a digital readiness scorecard to compare
266 the digital readiness of school districts within the state. The
267 scorecard must use the uniform definitions identified under this
268 section and information technology architecture standards
269 identified under s. 282.0052(1)(a). At a minimum, the scorecard
270 must include the student-to-device ratio, the percentage of
271 schools within each district that meet bandwidth standards, the
272 percentage of classrooms within each district that meet wireless
273 standards, the refresh rate of devices, network capacity,
274 information storage capacity, and information security services.

275 Section 5. Paragraph (i) of subsection (12) of section
276 1001.42, Florida Statutes, is amended to read:

277 1001.42 Powers and duties of district school board.—The
278 district school board, acting as a board, shall exercise all
279 powers and perform all duties listed below:

280 (12) FINANCE.—Take steps to assure students adequate
281 educational facilities through the financial procedure
282 authorized in chapters 1010 and 1011 and as prescribed below:

283 (i) *Contracts for materials, supplies, and services.*—
284 Contract for materials, supplies, and services needed for the
285 district school system. No contract for supplying these needs
286 shall be made with any member of the district school board, with
287 the district school superintendent, or with any business
288 organization in which any district school board member or the
289 district school superintendent has any financial interest
290 whatsoever. The district school board may adopt rules to

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291 facilitate the efficient and effective procurement of materials,
292 supplies, and services, including the use of online procurement
293 and electronic auction services. For purposes of this paragraph,
294 the term "electronic auction services" means a competitive
295 procurement conducted on a centralized website using third-party
296 software, jointly managed by an approved vendor and the district
297 school board, for the purpose of obtaining competitive prices in
298 an auction environment.

299 Section 6. Subsection (1) of section 1006.27, Florida
300 Statutes, is amended to read:

301 1006.27 Pooling of school buses and related purchases by
302 district school boards; transportation services contracts.—

303 (1) The department shall assist district school boards in
304 securing school buses, contractual needs, equipment, and
305 supplies at as reasonable prices as possible by providing a plan
306 under which district school boards may voluntarily pool their
307 bids for such purchases. The department shall prepare bid forms
308 and specifications, obtain quotations of prices and make such
309 information available to district school boards in order to
310 facilitate this service and use electronic auction services, as
311 defined in s. 1001.42(12) (i), or other efficient procurement
312 tools. District schools may also use electronic auction services
313 or other efficient procurement tools for such purchases.

314 District school boards from time to time, as prescribed by State
315 Board of Education rule, shall furnish the department with
316 information concerning the prices paid for such items and the
317 department shall furnish to district school boards periodic
318 information concerning the lowest prices at which school buses,
319 equipment, and related supplies are available based upon

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320 comparable specifications.

321 Section 7. Paragraphs (b) through (e) of subsection (12) of
322 section 1011.62, Florida Statutes, are amended to read:

323 1011.62 Funds for operation of schools.—If the annual
324 allocation from the Florida Education Finance Program to each
325 district for operation of schools is not determined in the
326 annual appropriations act or the substantive bill implementing
327 the annual appropriations act, it shall be determined as
328 follows:

329 (12) FLORIDA DIGITAL CLASSROOMS ALLOCATION.—

330 (b) Each district school board shall adopt a district
331 digital classrooms plan that meets the unique needs of students,
332 schools, and personnel and submit the plan for approval to the
333 Department of Education. In addition, each district school board
334 must, at a minimum, seek input from the district's
335 instructional, curriculum, and information technology staff to
336 develop the district digital classrooms plan. The district's
337 plan must be within the general parameters established in the
338 Florida digital classrooms plan pursuant to s. 1001.20. In
339 addition, if the district participates in federal technology
340 initiatives and grant programs, the district digital classrooms
341 plan must include a plan for meeting requirements of such
342 initiatives and grant programs. Funds allocated under this
343 subsection must be used to support implementation of district
344 digital classrooms plans. By August ~~October 1, 2014,~~ and by
345 ~~March~~ 1 of each year ~~thereafter~~, on a date determined by the
346 department, each district school board shall submit to the
347 department, in a format prescribed by the department, a digital
348 classrooms plan. At a minimum, such plan must include, and be

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349 annually updated to reflect, the following:

350 1. Measurable student performance outcomes. Outcomes
351 related to student performance, including outcomes for students
352 with disabilities, must be tied to the efforts and strategies to
353 improve outcomes related to student performance by use of an
354 instructional delivery system that increases the depth of
355 student and teacher engagement by enabling the interactive and
356 collaborative use of classroom devices, digital curriculum, and
357 assessments for integrating technology in classroom teaching and
358 learning. Results of the outcomes shall be reported at least
359 annually for the current school year and subsequent 3 years and
360 be accompanied by an independent evaluation and validation of
361 the reported results.

362 2. Digital learning and technology infrastructure purchases
363 and operational activities. Such purchases and activities must
364 be tied to the measurable outcomes under subparagraph 1.,
365 including, but not limited to, connectivity, broadband access,
366 wireless capacity, Internet speed, and data security, all of
367 which must meet or exceed minimum requirements and protocols
368 established by the department. For each year that the district
369 uses funds for infrastructure, a third-party, independent
370 evaluation of the district's technology inventory and
371 infrastructure needs must accompany the district's plan.

372 3. Professional development purchases and operational
373 activities. Such purchases and activities must be tied to the
374 measurable outcomes under subparagraph 1., including, but not
375 limited to, using technology in the classroom and improving
376 digital literacy and competency.

377 4. Digital tool purchases and operational activities. Such

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378 purchases and activities must be tied to the measurable outcomes
379 under subparagraph 1., including, but not limited to,
380 competency-based credentials that measure and demonstrate
381 digital competency and certifications; third-party assessments
382 that demonstrate acquired knowledge and use of digital
383 applications; and devices that meet or exceed minimum
384 requirements and protocols established by the department.

385 5. Online assessment-related purchases and operational
386 activities. Such purchases and activities must be tied to the
387 measurable outcomes under subparagraph 1., including, but not
388 limited to, expanding the capacity to administer assessments and
389 compatibility with minimum assessment protocols and requirements
390 established by the department. If the administration of online
391 assessments after January 1, 2015, does not comply with the
392 minimum assessment protocols and requirements established by the
393 department, the department shall contract with an independent
394 auditing entity that has expertise in the area of the
395 noncompliance to evaluate the extent of the noncompliance and
396 provide recommendations to remediate the noncompliance in future
397 administrations of online assessments.

398 (c) The Legislature shall annually provide in the General
399 Appropriations Act the FEFP allocation for implementation of the
400 Florida digital classrooms plan to be calculated in an amount up
401 to 1 percent of the base student allocation multiplied by the
402 total K-12 full-time equivalent student enrollment included in
403 the FEFP calculations for the legislative appropriation or as
404 provided in the General Appropriations Act. Each school district
405 shall be provided a minimum of \$250,000, with the remaining
406 balance of the allocation to be distributed based on each

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407 district's proportion of the total K-12 full-time equivalent
408 student enrollment. Distribution of funds for the Florida
409 digital classrooms allocation shall begin following submittal of
410 each district's digital classrooms plan, which must include
411 formal verification of the superintendent's approval of the
412 digital classrooms plan of each charter school in the district,
413 and approval of the plan by the department. A charter school
414 shall submit the school's digital classrooms plan, in a
415 streamlined format prescribed by the department, to the
416 applicable school district. Prior to the distribution of the
417 Florida digital classrooms allocation funds, each district
418 school superintendent shall certify to the Commissioner of
419 Education that the district school board has approved a
420 comprehensive district digital classrooms plan that supports the
421 fidelity of implementation of the Florida digital classrooms
422 allocation. District allocations shall be recalculated during
423 the fiscal year consistent with the periodic recalculation of
424 the FEFP. School districts shall provide a proportionate share
425 of the digital classrooms allocation to each charter school in
426 the district, as required for categorical programs in s.
427 1002.33(17)(b). A school district may use a competitive process
428 to distribute funds for the Florida digital classrooms
429 allocation to the schools within the school district. Beginning
430 in the 2016-2017 school year, to be eligible to receive Florida
431 digital classrooms allocation funds, a school district must
432 undergo an annual assessment pursuant to s. 282.0052 and an
433 annual independent verification of its use of Florida digital
434 classrooms allocation funds pursuant to paragraph (e).

435 (d) To facilitate the implementation of the district

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436 digital classrooms plans and charter school digital classrooms
437 plans, the commissioner shall support statewide, coordinated
438 partnerships and efforts of this state's education practitioners
439 in the field, including, but not limited to, superintendents,
440 principals, and teachers, to identify and share best practices,
441 corrective actions, and other identified needs. By August 1,
442 2016, the commissioner shall implement an online, web-based
443 portal for school districts and charter schools to submit their
444 digital classrooms plan.

445 (e) Beginning in the 2015-2016 fiscal year and each year
446 thereafter, each district school board and charter school shall
447 report to the department its use of funds provided through the
448 Florida digital classrooms allocation and student performance
449 outcomes in accordance with the district's digital classrooms
450 plan. The department may contract with an independent third-
451 party entity to conduct an annual independent verification of
452 the district's use of Florida digital classrooms allocation
453 funds in accordance with the district's digital classrooms plan.
454 In the event an independent third-party verification is not
455 conducted, the Auditor General shall, during scheduled
456 operational audits of the school districts, verify compliance of
457 the use of Florida digital classrooms allocation funds in
458 accordance with the district's digital classrooms plan. No later
459 than October 1 of each year, beginning in the 2015-2016 fiscal
460 year, the commissioner shall provide to the Governor, the
461 President of the Senate, and the Speaker of the House of
462 Representatives a summary of each district's student performance
463 goals and outcomes, use of funds, in support of such ~~student~~
464 performance goals and outcomes, and progress toward meeting

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465 statutory requirements and timelines.

466 Section 8. Paragraph (d) of subsection (2) of section
467 1011.71, Florida Statutes, is amended to read:

468 1011.71 District school tax.—

469 (2) In addition to the maximum millage levy as provided in
470 subsection (1), each school board may levy not more than 1.5
471 mills against the taxable value for school purposes for district
472 schools, including charter schools at the discretion of the
473 school board, to fund:

474 (d) The purchase, lease-purchase, or lease of new and
475 replacement equipment; computer hardware, including electronic
476 hardware and other hardware devices necessary for gaining access
477 to or enhancing the use of electronic content and resources or
478 to facilitate the access to and the use of a school district's
479 digital classrooms plan pursuant to s. 1011.62, excluding
480 software other than the operating system necessary to operate
481 the hardware or device; and enterprise resource software
482 applications that are classified as capital assets in accordance
483 with definitions of the Governmental Accounting Standards Board,
484 have a useful life of at least 5 years, and are used to support
485 districtwide administration or state-mandated reporting
486 requirements. Enterprise resource software may be acquired by
487 annual license fees, maintenance fees, or lease agreements.

488 Section 9. This act shall take effect July 1, 2015.