
By: **Delegates McIntosh and Rosenberg**
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CHAPTER 412

1 AN ACT concerning

2 **Public Schools - Technology for Education**

3 FOR the purpose of altering certain findings of the General Assembly in connection
4 with technology for education; authorizing the State Superintendent of Schools
5 to procure and develop certain resources, develop standards for the offering of
6 certain courses, and review courses and courseware to assure certain standards;
7 requiring certain fees and royalties to be used by a county board or the State
8 Department of Education for further development of certain curriculum-based
9 learning resources; requiring the Maryland Technology Academy to provide
10 distance-learning activities to teachers during a certain time period; requiring
11 the Department to provide Maryland virtual learning opportunities that include
12 certain programs; requiring the Department, with the approval of the State
13 Board of Education and the State Superintendent, to develop and implement
14 certain on-line courses and services; establishing the Maryland Virtual
15 Learning Opportunities Fund; authorizing the State Board to set certain fees;
16 requiring the State Board to pay all fees to the Comptroller of the State;
17 requiring the Comptroller to distribute certain fees; providing for the unspent
18 portions of the Fund; requiring the Legislative Auditor to audit certain accounts;
19 authorizing the State Board to adopt certain regulations; requiring the
20 Department to submit a certain report including certain information to the
21 Governor and the General Assembly on or before a certain date; requiring the
22 State Superintendent to track and issue certain reports on certain courses or
23 services; altering a certain definition; and generally relating to technology for
24 education in public schools.

25 BY repealing and reenacting, with amendments,
26 Article - Education
27 Section 7-901 through 7-906 and 7-1001

1 Annotated Code of Maryland
2 (2001 Replacement Volume)

3 BY adding to
4 Article - Education
5 Section 7-1002
6 Annotated Code of Maryland
7 (2001 Replacement Volume)

8 Preamble

9 WHEREAS, The General Assembly recognizes that the State of Maryland has
10 made significant progress since 1995 in building the technology infrastructure and
11 the technology skills and knowledge of teachers in its public schools; and

12 WHEREAS, The General Assembly recognizes that Maryland schools have
13 improved and expanded Internet access thereby enabling schools to offer courses
14 through the Internet and other new developing technology; and

15 WHEREAS, Schools face unprecedented challenges due to teacher shortages in
16 critical content areas, the unavailability of courses in some schools, financial
17 constraints, increased accountability, and insufficient resources for professional
18 development; and

19 WHEREAS, A number of states and other jurisdictions have developed
20 Internet-based instruction that is available and is being used by local school systems
21 in Maryland; and

22 WHEREAS, There is a need to assure that courses offered through the Internet
23 and through new and developing technologies are of high quality and align with the
24 Maryland content standards as well as other appropriate standards; and

25 WHEREAS, The State and county public school systems can benefit from
26 consolidated procurement and coordinated support; now, therefore,

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

29 **Article - Education**

30 7-901.

31 (a) In this subtitle the following words have the meanings indicated.

32 (b) "Eligible consortium" includes a local educational agency and a public or
33 private nonprofit organization.

34 (c) "Instructional programming" means the full range of audio and video text,
35 graphics, or additional state-of-the-art communications distributed through

1 interactive, command and control, or passive methods for the purpose of education
2 and instruction.

3 (d) "Students" means students from a broad range of backgrounds and
4 circumstances, including:

- 5 (1) Disadvantaged students;
- 6 (2) Students with diverse racial, ethnic, and cultural backgrounds;
- 7 (3) Students with disabilities;
- 8 (4) Students with limited English proficiency;
- 9 (5) Students who have dropped out of school; and
- 10 (6) Academically talented students.

11 (e) "Technology" means the latest state-of-the-art technology products and
12 services, including:

- 13 (1) Closed circuit television systems;
- 14 (2) Educational television and radio broadcasting;
- 15 (3) Cable television;
- 16 (4) Satellite;
- 17 (5) Copper and [fiber optic] FIBER-OPTIC transmission;
- 18 (6) Computer AND COMPUTER-BASED TECHNOLOGY;
- 19 (7) Video and audio laser and CD ROM discs; [and]
- 20 (8) Video and audio tapes or other technologies; AND
- 21 (9) WEB-BASED RESOURCES AND COURSES.

22 7-902.

23 The General Assembly finds that:

24 (1) Technology applications can propel the State's school systems into
25 immediate and dramatic reform, without which the State will not meet the very
26 ambitious National Education Goals [by the target year 2000];

27 (2) Creative uses of technology can reshape the State's outdated method
28 of providing education and empower teachers to create an environment where
29 students can be challenged through rigorous, rich classroom instruction at a pace that
30 suits the learning style of each individual student;

1 (3) The acquisition and use of technology in education throughout the
2 State has been [inhibited] ENHANCED by:

3 (i) The [limited] INCREASED exposure of students and teachers to
4 the power of technology as a cost-effective tool to improve student learning and
5 achievement;

6 (ii) The [inability] ABILITY of the State and [local educational
7 agencies] COUNTY BOARDS to invest in and support needed technologies;

8 (iii) The [lack of appropriate electrical and telephone connections in
9 the classroom] INCREASED NETWORKING INFRASTRUCTURE AND INTERNET ACCESS
10 IN SCHOOLS AND IN CLASSROOMS; and

11 (iv) The [limited] INCREASED availability of technology-enhanced
12 curriculum, staff development, and administrative support resources and services in
13 the educational marketplace;

14 (4) Advancements in technology offer new and interesting possibilities to
15 promote new partnerships among teachers, students, parents, communities, and
16 industry in the quest for knowledge and the process for learning;

17 (5) The use of technology will cultivate and maintain a technologically
18 literate citizenry and internationally competitive workforce when used as an essential
19 tool in the learning process;

20 (6) In support of the overall national technology policy, the State
21 Department of Education and the Department of Business and Economic
22 Development must assume a vital leadership and coordinating role in providing the
23 State's vision and strategy to infuse advanced technology throughout all educational
24 programs;

25 (7) State support can ease the burden at the local level by enabling the
26 acquisition of advanced technology, teacher training and support, WEB-BASED
27 DISTANCE-LEARNING RESOURCES, and market development for new educational
28 products;

29 (8) Continuing professional development for teachers and
30 administrators requires constant access to the latest advancements in technology to
31 keep teachers and administrators excited and knowledgeable about the unfolding
32 opportunities for the classroom; and

33 (9) The increasing use of new technologies and telecommunications
34 systems in business has increased the gap between schooling and workforce
35 preparation.

1 7-903.

2 It is the purpose of this subtitle:

3 (1) To offer incentives and opportunities for creative public and private
4 partnerships within the marketplace to develop state-of-the-art educational
5 technology products AND SERVICES that promote the use of advanced technologies in
6 the classroom; [and]

7 (2) To avoid duplication and the development of incompatible systems by
8 strengthening and building upon existing telecommunications infrastructure
9 dedicated to educational purposes;

10 (3) TO PROVIDE MARYLAND PUBLIC SCHOOL STUDENTS WITH EQUAL
11 OPPORTUNITIES TO DEVELOP A STRONG ACADEMIC FOUNDATION;

12 (4) TO FACILITATE EXPANDED EDUCATIONAL CHOICES NOT OTHERWISE
13 AVAILABLE TO MARYLAND PUBLIC SCHOOL STUDENTS THROUGH ON-LINE COURSES
14 AND SERVICES; AND

15 (5) TO EXPAND PROFESSIONAL DEVELOPMENT OPPORTUNITIES
16 AVAILABLE TO EDUCATIONAL STAFF IN MARYLAND PUBLIC SCHOOLS THROUGH
17 ON-LINE COURSES AND SERVICES.

18 7-904.

19 The State Superintendent may:

20 (1) [Support development of] PROCURE AND DEVELOP
21 curriculum-based learning resources using state-of-the-art technologies and
22 techniques designed to increase the achievement levels of all students in all subject
23 areas;

24 (2) [Support development of] PROCURE AND DEVELOP long-term
25 comprehensive instructional programming and associated support resources that
26 ensure maximum access by all educational institutions; [and]

27 (3) DEVELOP STANDARDS FOR TEACHERS AND OTHER SCHOOL SYSTEM
28 EMPLOYEES FOR THE OFFERING OF COURSES OR SERVICES ON THE INTERNET OR
29 THROUGH OTHER DEVELOPING TECHNOLOGIES;

30 (4) REVIEW COURSES AND COURSEWARE TO ASSURE QUALITY AND
31 ALIGNMENT WITH THE MARYLAND CONTENT STANDARDS AND OTHER APPROPRIATE
32 STANDARDS; ~~AND~~

33 (5) TRACK AND ISSUE PERIODIC REPORTS ON THE TYPE AND
34 FREQUENCY OF COURSES OR SERVICES UTILIZED BY TEACHERS AND OTHER
35 PROFESSIONALS UNDER THIS SECTION; AND

1 ~~(5)~~ (6) Award grants to eligible private or public consortia to enable
 2 eligible consortia to develop state-of-the-art technology-enhanced instructional
 3 [systems] PRODUCTS, RESOURCES, AND SERVICES for use in the classroom,
 4 including:

5 (i) The development, production, and distribution of instructional
 6 programming for students;

7 (ii) Staff development programming for teachers; and

8 (iii) Incorporation of creative state-of-the-art applications of
 9 technology-enhanced learning resources, such as:

- 10 1. Computer software;
- 11 2. Databases;
- 12 3. Films;
- 13 4. Transparencies;
- 14 5. Multimedia video and audio discs;
- 15 6. Telecommunications;
- 16 7. Educational television; [and]
- 17 8. Print resources; AND
- 18 9. WEB-BASED RESOURCES AND COURSES.

19 7-905.

20 In awarding grants under § 7-904 of this subtitle, the State Superintendent
 21 shall give priority to applications describing programs or systems that are developed:

22 (1) For statewide application at a reasonable cost;

23 (2) In consultation with classroom teachers; and

24 (3) Through consultation and collaboration with appropriate educational
 25 entities to ensure relevance to State [curriculum frameworks] CONTENT STANDARDS
 26 AND TO OTHER APPROPRIATE STATE STANDARDS.

27 7-906.

28 (a) Notwithstanding any other provision of law, any royalties OR FEES paid to
 29 any [local educational agency] COUNTY BOARD OR TO THE DEPARTMENT as a result
 30 of assistance provided under this subtitle shall be used by the [local educational
 31 agency] COUNTY BOARD OR DEPARTMENT for further development of
 32 curriculum-based learning resources authorized under this subtitle.

1 (b) (1) The State Superintendent shall allow an eligible consortium to
2 receive a financial benefit from the distribution of programming assisted under this
3 subtitle.

4 (2) An eligible consortium that receives a financial benefit shall use the
5 benefit:

6 (i) To support further development of curriculum-specific
7 programming; and

8 (ii) To provide greater access to a wider audience of educational
9 programming.

10 7-1001.

11 (a) There is a Maryland Technology Academy in the Department.

12 (b) The purpose of the Academy is to:

13 (1) Provide intensive learning opportunities for teachers in the State
14 each year on how to use technology to significantly impact student learning; and

15 (2) Promote the overall improvement of public schools in the State.

16 (c) Under the direction and supervision of the Department, the Academy shall
17 arrange for the conducting of 3- to 5-week summer sessions each year for elementary,
18 middle, and high school teachers in the State.

19 (d) The summer sessions shall utilize an intensive curriculum in technology
20 that is structured in such a manner to require the participating teachers to:

21 (1) Examine and discuss technological research and engage in practicing
22 the use of technology in the classroom and school setting;

23 (2) Participate in and critique demonstrations of the use of technology;

24 (3) Prepare and present a technology-based project in an area of
25 interest; and

26 (4) Develop an understanding and knowledge of how to collect and
27 analyze student data to determine effective uses of technology and how the use of
28 technology impacts student learning.

29 (e) The Academy shall organize the summer sessions on the basis of:

30 (1) Creating participant teams of elementary, middle, and high school
31 teachers as well as instructors from colleges of education; and

32 (2) Utilizing instructors from institutions of higher education as well as
33 teacher experts, national experts, and outside consultants.

1 (f) The Academy shall provide opportunities for teachers, after their
2 completion of a summer session, to continue to learn about the uses and impact of
3 technology in the classroom through the establishment of appropriate conferences,
4 study groups, DISTANCE-LEARNING ACTIVITIES, and peer coaching sessions.

5 (g) The Department shall establish guidelines for the application and
6 selection of participants in the Academy and any other appropriate matter to
7 implement the provisions of this subtitle.

8 (h) Funds for the Academy shall be as provided in the annual budget of the
9 Department.

10 7-1002.

11 (A) THE DEPARTMENT SHALL PROVIDE MARYLAND VIRTUAL LEARNING
12 OPPORTUNITIES THAT INCLUDE:

13 (1) OFFERING A DISTANCE-LEARNING PROGRAM TO PROVIDE
14 MARYLAND PUBLIC SCHOOL STUDENTS WITH EQUAL OPPORTUNITIES TO DEVELOP A
15 STRONG ACADEMIC FOUNDATION;

16 (2) OFFERING EXPANDED EDUCATIONAL CHOICES NOT OTHERWISE
17 AVAILABLE TO STUDENTS THROUGH ON-LINE COURSES AND SERVICES; AND

18 (3) EXPANDING THE PROFESSIONAL DEVELOPMENT OPPORTUNITIES
19 AVAILABLE TO EDUCATIONAL STAFF IN MARYLAND PUBLIC SCHOOLS THROUGH
20 ON-LINE COURSES AND SERVICES.

21 (B) WITH THE APPROVAL OF THE STATE BOARD AND THE STATE
22 SUPERINTENDENT, THE DEPARTMENT SHALL:

23 (1) DEVELOP ON-LINE COURSES AND SERVICES;

24 (2) PROCURE ON-LINE COURSES AND SERVICES;

25 (3) DEVELOP STANDARDS FOR TEACHERS AND OTHER SCHOOL SYSTEM
26 EMPLOYEES FOR THE OFFERING OF COURSES OR SERVICES ON THE INTERNET OR
27 THROUGH OTHER DEVELOPING TECHNOLOGIES; AND

28 (4) REVIEW COURSES AND COURSEWARE TO ASSURE QUALITY AND
29 ALIGNMENT WITH THE MARYLAND CONTENT STANDARDS AND OTHER APPROPRIATE
30 STANDARDS.

31 (C) (1) THERE IS A MARYLAND VIRTUAL LEARNING OPPORTUNITIES FUND.

32 (2) THE STATE BOARD MAY SET REASONABLE FEES FOR ON-LINE
33 COURSES AND SERVICES.

34 (3) THE FEES CHARGED SHALL BE SET SO AS TO PRODUCE FUNDS TO
35 SUPPORT MAINTENANCE OF MARYLAND VIRTUAL LEARNING OPPORTUNITIES.

1 (4) THE STATE BOARD SHALL PAY ALL FUNDS COLLECTED UNDER THIS
2 SUBTITLE TO THE COMPTROLLER OF THE STATE.

3 (5) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE
4 MARYLAND VIRTUAL LEARNING OPPORTUNITIES FUND.

5 (6) THE FUND IS A CONTINUING, NONLAPSING FUND NOT SUBJECT TO §
6 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

7 (7) ANY UNSPENT PORTIONS OF THE FUND MAY NOT BE TRANSFERRED
8 OR REVERT TO THE GENERAL FUND OF THE STATE, BUT SHALL REMAIN IN THE FUND
9 TO BE USED FOR THE PURPOSES SPECIFIED IN THIS SUBTITLE.

10 (8) THE LEGISLATIVE AUDITOR SHALL AUDIT THE ACCOUNTS AND
11 TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE GOVERNMENT
12 ARTICLE.

13 (D) THE STATE BOARD MAY ADOPT REGULATIONS TO IMPLEMENT THE
14 PROVISIONS OF THIS SECTION.

15 (E) THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, SUBJECT TO §
16 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, ON OR
17 BEFORE SEPTEMBER 1, 2004, A REPORT ON THE PROGRESS OF THE MARYLAND
18 VIRTUAL LEARNING OPPORTUNITIES PROGRAM, INCLUDING A DESCRIPTION OF THE
19 AVAILABLE ON-LINE COURSES AND SERVICES.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2002.