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By: **Delegates McIntosh and Rosenberg**  
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Assigned to: Ways and Means

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A BILL ENTITLED

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; altering a  
22 certain definition; and generally relating to technology for education in public  
23 schools.

24 BY repealing and reenacting, with amendments,  
25 Article - Education  
26 Section 7-901 through 7-906 and 7-1001  
27 Annotated Code of Maryland  
28 (2001 Replacement Volume)

29 BY adding to  
30 Article - Education  
31 Section 7-1002  
32 Annotated Code of Maryland

1 (2001 Replacement Volume)

2 Preamble

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

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

9 WHEREAS, Schools face unprecedented challenges due to teacher shortages in  
10 critical content areas, the unavailability of courses in some schools, financial  
11 constraints, increased accountability, and insufficient resources for professional  
12 development; and

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

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

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

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

23 **Article - Education**

24 7-901.

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

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

28 (c) "Instructional programming" means the full range of audio and video text,  
29 graphics, or additional state-of-the-art communications distributed through  
30 interactive, command and control, or passive methods for the purpose of education  
31 and instruction.

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

34 (1) Disadvantaged students;

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

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

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

17 7-902.

18 The General Assembly finds that:

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

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

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

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

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

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

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

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

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

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

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

24 (8) Continuing professional development for teachers and  
25 administrators requires constant access to the latest advancements in technology to  
26 keep teachers and administrators excited and knowledgeable about the unfolding  
27 opportunities for the classroom; and

28 (9) The increasing use of new technologies and telecommunications  
29 systems in business has increased the gap between schooling and workforce  
30 preparation.

31 7-903.

32 It is the purpose of this subtitle:

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

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

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

6 (4) TO FACILITATE EXPANDED EDUCATIONAL CHOICES NOT OTHERWISE  
7 AVAILABLE TO MARYLAND PUBLIC SCHOOL STUDENTS THROUGH ON-LINE COURSES  
8 AND SERVICES; AND

9 (5) TO EXPAND PROFESSIONAL DEVELOPMENT OPPORTUNITIES  
10 AVAILABLE TO EDUCATIONAL STAFF IN MARYLAND PUBLIC SCHOOLS THROUGH  
11 ON-LINE COURSES AND SERVICES.

12 7-904.

13 The State Superintendent may:

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

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

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

24 (4) REVIEW COURSES AND COURSEWARE TO ASSURE QUALITY AND  
25 ALIGNMENT WITH THE MARYLAND CONTENT STANDARDS AND OTHER APPROPRIATE  
26 STANDARDS; AND

27 (5) Award grants to eligible private or public consortia to enable eligible  
28 consortia to develop state-of-the-art technology-enhanced instructional [systems]  
29 PRODUCTS, RESOURCES, AND SERVICES for use in the classroom, including:

30 (i) The development, production, and distribution of instructional  
31 programming for students;

32 (ii) Staff development programming for teachers; and

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

35 1. Computer software;

36 2. Databases;

- 1 3. Films;
- 2 4. Transparencies;
- 3 5. Multimedia video and audio discs;
- 4 6. Telecommunications;
- 5 7. Educational television; [and]
- 6 8. Print resources; AND
- 7 9. WEB-BASED RESOURCES AND COURSES.

8 7-905.

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

- 11 (1) For statewide application at a reasonable cost;
- 12 (2) In consultation with classroom teachers; and
- 13 (3) Through consultation and collaboration with appropriate educational  
14 entities to ensure relevance to State [curriculum frameworks] CONTENT STANDARDS  
15 AND TO OTHER APPROPRIATE STATE STANDARDS.

16 7-906.

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

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

25 (2) An eligible consortium that receives a financial benefit shall use the  
26 benefit:

- 27 (i) To support further development of curriculum-specific  
28 programming; and
- 29 (ii) To provide greater access to a wider audience of educational  
30 programming.

31 7-1001.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 7-1002.

33 (A) THE DEPARTMENT SHALL PROVIDE MARYLAND VIRTUAL LEARNING  
34 OPPORTUNITIES THAT INCLUDE:

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

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

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

9 (B) WITH THE APPROVAL OF THE STATE BOARD AND THE STATE  
10 SUPERINTENDENT, THE DEPARTMENT SHALL:

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

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

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

16 (4) REVIEW COURSES AND COURSEWARE TO ASSURE QUALITY AND  
17 ALIGNMENT WITH THE MARYLAND CONTENT STANDARDS AND OTHER APPROPRIATE  
18 STANDARDS.

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

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

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

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

26 (5) THE COMPTROLLER SHALL DISTRIBUTE THE FEES TO THE  
27 MARYLAND VIRTUAL LEARNING OPPORTUNITIES FUND.

28 (6) THE FUND IS A CONTINUING, NONLAPSING FUND NOT SUBJECT TO §  
29 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

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

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



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

3 (E) THE DEPARTMENT SHALL SUBMIT TO THE GOVERNOR AND, SUBJECT TO §  
4 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, ON OR  
5 BEFORE SEPTEMBER 1, 2004, A REPORT ON THE PROGRESS OF THE MARYLAND  
6 VIRTUAL LEARNING OPPORTUNITIES PROGRAM, INCLUDING A DESCRIPTION OF THE  
7 AVAILABLE ON-LINE COURSES AND SERVICES.

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