

# SENATE BILL 235

F5

9lr0843

---

By: **Senators King, Astle, DeGrange, Garagiola, Klausmeier, Lenett, Robey,  
and Rosapepe**

Introduced and read first time: January 23, 2009

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Education – MDK12 Digital Library**

3 FOR the purpose of establishing the MDK12 Digital Library in the State Department  
4 of Education; establishing certain legislative findings; establishing the purpose  
5 of the MDK12 Digital Library; establishing a steering committee within the  
6 MDK12 Digital Library; establishing the membership of the steering committee;  
7 establishing certain duties of the steering committee; establishing the  
8 membership of the MDK12 Digital Library, subject to certain limitations;  
9 establishing certain limitations to the membership of the MDK12 Digital  
10 Library; requiring certain individuals to perform certain duties; authorizing the  
11 MDK12 Digital Library to develop certain additional programs that support all  
12 residents of Maryland; requiring the Department to employ a certain position;  
13 requiring a certain report to be submitted by a certain date to the Department;  
14 defining a certain term; and generally relating to the MDK12 Digital Library.

15 BY adding to

16 Article – Education

17 Section 7–9A–01 through 7–9A–05 to be under the new subtitle “Subtitle 9A.  
18 MDK12 Digital Library”

19 Annotated Code of Maryland

20 (2008 Replacement Volume)

21 Preamble

22 WHEREAS, The State of Maryland has made significant progress since 1995 in  
23 building the technology infrastructure and the technology knowledge and skills of  
24 students and educators in its public schools; and

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, Maryland schools have improved and expanded Internet access,  
2 thereby enabling schools to provide digital content through the Internet and other  
3 developing technologies; and

4 WHEREAS, Schools face unprecedented challenges due to financial constraints,  
5 increased accountability, insufficient resources for professional development, and the  
6 unavailability of adequate instructional resources in some schools; and

7 WHEREAS, There is a need to provide high quality, accurate, reliable, and  
8 current digital content aligned with the Maryland content standards and other  
9 appropriate standards; and

10 WHEREAS, School library media programs provide leadership in the  
11 instructional use of digital content and in developing information literate citizens; and

12 WHEREAS, The MDK12 Digital Library Project, established by a federal grant,  
13 is precedence for its codification in State law, and the Project has demonstrated  
14 multiple benefits from the collaboration between the State Department of Education  
15 and the local school systems in the State, including greater equity of access, cost  
16 savings to local school systems, shared professional development, and effective  
17 partnership among school librarians; and

18 WHEREAS, The State and its public school systems can benefit from  
19 consolidated procurement and coordinated support with respect to digital content;  
20 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 **SUBTITLE 9A. MDK12 DIGITAL LIBRARY.**

25 **7-9A-01.**

26 **IN THIS SUBTITLE, "DIGITAL CONTENT" MEANS ANY ONLINE**  
27 **INFORMATION SUBSCRIPTION DATABASE AND ELECTRONIC RESOURCE**  
28 **APPLICABLE TO THE MARYLAND PREK-12 CURRICULUM.**

29 **7-9A-02.**

30 **THE GENERAL ASSEMBLY FINDS THAT:**

31 **(1) TECHNOLOGY APPLICATIONS CAN PROPEL THE STATE'S**  
32 **SCHOOLS INTO IMMEDIATE AND DRAMATIC REFORM WITHOUT WHICH THE**  
33 **STATE WILL NOT MEET THE AMBITIOUS NO CHILD LEFT BEHIND GOALS, THE**

1 **DEPARTMENT'S STRATEGIC PLAN, OR THE DEPARTMENT'S TECHNOLOGY**  
2 **PLAN;**

3 (2) **ACCESS TO APPROPRIATE HIGH QUALITY DIGITAL CONTENT**  
4 **SUPPORTS THE PREPARATION OF THE STATE'S STUDENTS FOR THE CURRENT**  
5 **AND FUTURE WORKFORCE WITH THE KNOWLEDGE AND SKILLS NECESSARY FOR**  
6 **THE SUCCESS OF AND THE SOCIOECONOMIC BENEFIT TO THE STATE;**

7 (3) **PROVIDING EQUITABLE ACCESS TO DIGITAL CONTENT FOR**  
8 **THE STATE'S STUDENTS AND EDUCATORS HELPS TO PREPARE STUDENTS TO**  
9 **PURSUE HIGH-LEVEL CAREERS IN SCIENCE, TECHNOLOGY, ENGINEERING, AND**  
10 **MATHEMATICS FOR THE GOOD OF THE STATE AND THE NATION;**

11 (4) **CREATIVE USES OF TECHNOLOGY CAN PROVIDE AN**  
12 **ENVIRONMENT WHERE STUDENTS ARE CHALLENGED THROUGH RIGOROUS,**  
13 **RELEVANT LEARNING EXPERIENCES THAT ADDRESS THE LEARNING STYLES OF**  
14 **EACH STUDENT; AND**

15 (5) **THERE IS A NEED TO PROVIDE EQUITABLE ACCESS TO HIGH**  
16 **QUALITY DIGITAL CONTENT ACROSS DISTRICTS AND SCHOOLS THROUGH THE**  
17 **INTERNET AND THROUGH DEVELOPING TECHNOLOGIES.**

18 **7-9A-03.**

19 **THERE IS A MDK12 DIGITAL LIBRARY IN THE DEPARTMENT.**

20 **7-9A-04.**

21 **THE PURPOSES OF THE MDK12 DIGITAL LIBRARY ARE TO:**

22 (1) **PROVIDE EQUITABLE ACCESS TO DIGITAL CONTENT FOR ALL**  
23 **MARYLAND K-12 STUDENTS AND EDUCATORS;**

24 (2) **IMPROVE SCHOOL LIBRARY PROGRAMS WITH ADVANCED**  
25 **DIGITAL TECHNOLOGIES;**

26 (3) **CREATE FISCAL EFFICIENCIES IN THE PURCHASE OF DIGITAL**  
27 **CONTENT THROUGH ENHANCED COOPERATION AMONG SCHOOLS AND THE**  
28 **DEPARTMENT; AND**

29 (4) **SUPPORT EFFECTIVE TEACHING AND LEARNING BY**  
30 **CONNECTING DIGITAL CONTENT WITH THE MARYLAND CONTENT STANDARDS,**  
31 **WORKFORCE DEVELOPMENT, AND SCIENCE, TECHNOLOGY, ENGINEERING, AND**  
32 **MATHEMATICS INITIATIVES.**

1 **7-9A-05.**

2 (A) (1) THE MDK12 DIGITAL LIBRARY IS A PURCHASING  
3 CONSORTIUM FOR THE ACQUISITION OF DIGITAL CONTENT.

4 (2) (I) THE MDK12 DIGITAL LIBRARY SHALL BE  
5 ADMINISTERED BY A STEERING COMMITTEE THAT CONSISTS OF:

6 1. ONE REPRESENTATIVE FROM EACH MEMBER  
7 LOCAL SCHOOL SYSTEM;

8 2. ONE REPRESENTATIVE FROM THE DEPARTMENT;  
9 AND

10 3. ONE INDIVIDUAL SELECTED BY MEMBER PRIVATE  
11 NONPROFIT SCHOOLS TO REPRESENT ALL MEMBER PRIVATE NONPROFIT  
12 SCHOOLS.

13 (II) EACH REPRESENTATIVE FROM EACH OF THE MEMBER  
14 LOCAL SCHOOL SYSTEMS SHALL BE A SCHOOL LIBRARY ADMINISTRATOR OR  
15 THE DESIGNEE OF A SCHOOL LIBRARY ADMINISTRATOR.

16 (III) THE STEERING COMMITTEE SHALL:

17 1. ESTABLISH CRITERIA TO EVALUATE AND SELECT  
18 DIGITAL CONTENT;

19 2. MAKE A GOOD FAITH ESTIMATE OF THE DIGITAL  
20 CONTENT THAT THEY INTEND TO PURCHASE UNDER EACH BID AND PROVIDE  
21 THE ESTIMATE TO THE DEPARTMENT BY THE DATE REQUESTED;

22 3. COLLECT AND ANALYZE USAGE DATA TO REPORT  
23 ON PROGRAM EFFECTIVENESS AND DETERMINE PROFESSIONAL DEVELOPMENT  
24 REQUIREMENTS;

25 4. REQUEST AND AWARD BIDS FOR THE PURCHASE  
26 AND DISTRIBUTION OF DIGITAL CONTENT TO ACQUIRE BETTER PRICING  
27 THROUGH VOLUME PURCHASES; AND

28 5. IDENTIFY VENDORS OF DIGITAL CONTENT.

29 (3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, MEMBERS  
30 OF THE MDK12 DIGITAL LIBRARY MAY INCLUDE THE PUBLIC SCHOOL SYSTEMS

1 OF THE STATE AND PRIVATE NONPROFIT SCHOOLS THAT ARE APPROVED BY  
2 THE DEPARTMENT.

3 (4) THE MDK12 DIGITAL LIBRARY MEMBERS SHALL AGREE TO:

4 (I) REPORT DIGITAL CONTENT USAGE DATA TO THE  
5 STEERING COMMITTEE;

6 (II) SOLELY UTILIZE THE PRICING AGREEMENTS  
7 ESTABLISHED BY THE STEERING COMMITTEE;

8 (III) NOT PLACE INDEPENDENT ORDERS WITH IDENTIFIED  
9 VENDORS FOR PRICES LESS THAN THOSE NEGOTIATED BY THE STEERING  
10 COMMITTEE; AND

11 (IV) NOTIFY THE STEERING COMMITTEE AND THE  
12 DEPARTMENT IF A VENDOR VERBALLY OR BY WRITING OFFERS A BETTER PRICE  
13 THAN THAT NEGOTIATED BY THE STEERING COMMITTEE.

14 (B) THE STATE BOARD AND THE STATE SUPERINTENDENT SHALL  
15 ENCOURAGE LOCAL SCHOOL SYSTEMS AND MEMBER PRIVATE NONPROFIT  
16 SCHOOLS TO:

17 (1) PROVIDE PROFESSIONAL DEVELOPMENT FOR SCHOOL  
18 LIBRARIANS AND OTHER EDUCATORS TO EFFECTIVELY USE DIGITAL CONTENT  
19 IN TEACHING AND LEARNING;

20 (2) SUPPORT STUDENT USE OF DIGITAL CONTENT THROUGH  
21 SCHOOL LIBRARIES IN COLLABORATION WITH CLASSROOM AND RESOURCE  
22 TEACHERS;

23 (3) PROMOTE THE AVAILABILITY OF DIGITAL CONTENT TO  
24 STUDENTS, EDUCATORS, AND PARENTS; AND

25 (4) INSTRUCT STUDENTS AND EDUCATORS HOW TO ACCESS  
26 DIGITAL CONTENT.

27 (C) THE MDK12 DIGITAL LIBRARY MAY DEVELOP PROGRAMS TO  
28 SUPPORT ALL RESIDENTS OF THE STATE IN COLLABORATION WITH THE STATE  
29 LIBRARY RESOURCE CENTER UNDER § 23-201 OF THIS ARTICLE AND THE  
30 MARYLAND DIGITAL LIBRARY UNDER § 11-801 OF THIS ARTICLE.

31 (D) THE DEPARTMENT SHALL EMPLOY ONE FULL-TIME POSITION TO  
32 COORDINATE THE MDK12 DIGITAL LIBRARY.

1           **(E) ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE MDK12 DIGITAL**  
2 **LIBRARY STEERING COMMITTEE SHALL SUBMIT A REPORT REGARDING THE**  
3 **FINANCIAL STATUS AND OPERATIONS OF THE MDK12 DIGITAL LIBRARY**  
4 **DURING THE PRIOR FISCAL YEAR TO THE DEPARTMENT.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2009.