

SENATE BILL 235

F5

9lr0843

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

Introduced and read first time: January 23, 2009

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 27, 2009

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

4 WHEREAS, Maryland schools have improved and expanded Internet access,
5 thereby enabling schools to provide digital content through the Internet and other
6 developing technologies; and

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

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

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

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

21 WHEREAS, The State and its public school systems can benefit from
22 consolidated procurement and coordinated support with respect to digital content;
23 now, therefore,

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

26 **Article – Education**

27 **SUBTITLE 9A. MDK12 DIGITAL LIBRARY.**

28 **7-9A-01.**

29 **IN THIS SUBTITLE, “DIGITAL CONTENT” MEANS ANY ONLINE**
30 **INFORMATION SUBSCRIPTION DATABASE AND ELECTRONIC RESOURCE**
31 **APPLICABLE TO THE MARYLAND PREK-12 CURRICULUM.**

32 **7-9A-02.**

33 **THE GENERAL ASSEMBLY FINDS THAT:**

1 (1) TECHNOLOGY APPLICATIONS CAN PROPEL THE STATE'S
2 SCHOOLS INTO IMMEDIATE AND DRAMATIC REFORM WITHOUT WHICH THE
3 STATE WILL NOT MEET THE AMBITIOUS NO CHILD LEFT BEHIND GOALS, THE
4 DEPARTMENT'S STRATEGIC PLAN, OR THE DEPARTMENT'S TECHNOLOGY
5 PLAN;

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

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

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

18 (5) THERE IS A NEED TO PROVIDE EQUITABLE ACCESS TO HIGH
19 QUALITY DIGITAL CONTENT ACROSS DISTRICTS AND SCHOOLS THROUGH THE
20 INTERNET AND THROUGH DEVELOPING TECHNOLOGIES.

21 **7-9A-03.**

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

23 **7-9A-04.**

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

25 (1) PROVIDE EQUITABLE ACCESS TO DIGITAL CONTENT FOR ALL
26 MARYLAND K-12 STUDENTS AND EDUCATORS;

27 (2) IMPROVE SCHOOL LIBRARY PROGRAMS WITH ADVANCED
28 DIGITAL TECHNOLOGIES;

29 (3) CREATE FISCAL EFFICIENCIES IN THE PURCHASE OF DIGITAL
30 CONTENT THROUGH ENHANCED COOPERATION AMONG SCHOOLS AND THE
31 DEPARTMENT; AND

32 (4) SUPPORT EFFECTIVE TEACHING AND LEARNING BY
33 CONNECTING DIGITAL CONTENT WITH THE MARYLAND CONTENT STANDARDS,

1 WORKFORCE DEVELOPMENT, AND SCIENCE, TECHNOLOGY, ENGINEERING, AND
2 MATHEMATICS INITIATIVES.

3 **7-9A-05.**

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

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

8 1. ONE REPRESENTATIVE FROM EACH MEMBER
9 LOCAL SCHOOL SYSTEM;

10 2. ONE REPRESENTATIVE FROM THE DEPARTMENT;
11 AND

12 3. ONE INDIVIDUAL SELECTED BY MEMBER PRIVATE
13 NONPROFIT SCHOOLS TO REPRESENT ALL MEMBER PRIVATE NONPROFIT
14 SCHOOLS.

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

18 (III) THE STEERING COMMITTEE SHALL:

19 1. ESTABLISH CRITERIA TO EVALUATE AND SELECT
20 DIGITAL CONTENT;

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

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

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

30 5. IDENTIFY VENDORS OF DIGITAL CONTENT.

1 **(3) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, MEMBERS**
2 **OF THE MDK12 DIGITAL LIBRARY MAY INCLUDE THE PUBLIC SCHOOL SYSTEMS**
3 **OF THE STATE AND PRIVATE NONPROFIT SCHOOLS THAT ARE APPROVED BY**
4 **THE DEPARTMENT.**

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

6 **(I) REPORT DIGITAL CONTENT USAGE DATA TO THE**
7 **STEERING COMMITTEE;**

8 **(II) SOLELY UTILIZE THE PRICING AGREEMENTS**
9 **ESTABLISHED BY THE STEERING COMMITTEE;**

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

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

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

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

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

25 **(3) PROMOTE THE AVAILABILITY OF DIGITAL CONTENT TO**
26 **STUDENTS, EDUCATORS, AND PARENTS; AND**

27 **(4) INSTRUCT STUDENTS AND EDUCATORS HOW TO ACCESS**
28 **DIGITAL CONTENT.**

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

1 (D) THE DEPARTMENT SHALL EMPLOY ONE ~~FULL-TIME~~ HALF-TIME
2 POSITION TO COORDINATE THE MDK12 DIGITAL LIBRARY.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.