

**MDGA\_SenHester\_FAV\_SB770 (1).pdf**

Uploaded by: Fry Hester, Katie

Position: FAV

**KATIE FRY HESTER**  
*Legislative District 9*  
Carroll and Howard Counties

Education, Health, and  
Environmental Affairs Committee

Chair, Joint Committee on  
Cybersecurity, Information Technology  
and Biotechnology



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**THE SENATE OF MARYLAND**  
ANNAPOLIS, MARYLAND 21401

## **Testimony in Support of SB770 - Ending the Digital Divide Act of 2021**

March 9th, 2021

Chairman Pinsky, Vice-Chair Kagan, and Members of the Education, Health, and Environmental Affairs Committee:

Thank you for your consideration of Senate Bill 770. For years, we have been aware of our education system's inequities, particularly the digital divide. Unfortunately, as digital devices have become more and more ubiquitous in our daily lives, this problem and inequity have persisted. And in the wake of the move to online learning catalyzed by the COVID-19 pandemic, this inequity has only been highlighted.

According to a survey conducted by Pew Research in early April of last year, 43% of low-income students indicated that during the coronavirus pandemic, they were at least somewhat likely to have to do their schoolwork on a cellphone. 40% answered they would have to use public Wi-Fi to finish their schoolwork due to a lack of reliable internet happen, and 36% indicated they would not be able to complete schoolwork because they do not have access to a computer at home. At the beginning of the pandemic, school systems across the State made significant efforts to meet their most critical needs, purchasing millions of dollars worth of Chromebooks for our students struggling to get access to digital devices. However, this does not solve the persistent structural problems that created this disparity in the first place.

This legislation aims to provide sufficient funding to end the digital divide and provide the technical support our students and teachers need. This bill provides \$180 of additional funding for technology resources on top of the \$7,390 already allocated per pupil under our current funding formula. Additionally, this legislation requires that each County Board use at least 7% of their target per-pupil foundation amount to provide laptops and other devices; internet connectivity; technical assistance; and information technology software, to ensure that the additional funding goes towards supplementing, not supplanting, our current IT spending allocations. Finally, SB770 requires that a county board allocating funds per this subsection

follow the IT Security standards set by the Department of Information Technology as school systems expand their own IT infrastructure utilizing this funding.

This simple bill is a vital step towards making sure our teachers and students have the resources they need to create an equitable and productive learning environment. While the Coronavirus has accelerated the adoption of technology in education, technology has been an inextricable part of our education system for quite some time. For students across Maryland, lack of access to technology is not just an inconvenience. Today, it is the difference between making it to class every day or having repeated or prolonged absence. But even beyond COVID, access to technology has a real impact on our student's ability to access digital resources for their classes, complete their assignments, and equitably access unique educational opportunities that may rely on technology for their delivery. For these reasons, **I respectfully request a favorable report on Senate Bill 770.**

Sincerely,

A handwritten signature in black ink that reads "Katie Fry Hester". The signature is written in a cursive, flowing style.

Senator Katie Fry Hester  
Carroll and Howard Counties

# **MRHA SB770 - Education – Technology Resources – Fu**

Uploaded by: Orosz, Samantha

Position: FAV



## **Statement of Maryland Rural Health Association**

To the Education, Health, and Environmental Affairs Committee

March 9, 2021

Senate Bill 770 - Education – Technology Resources – Funding (Ending the Digital Divide Act)

### **POSITION: SUPPORT**

Chair Pinsky, Vice Chair Kagan, Senator Hestor, Senator Rosapepe, and members of the Education, Health, and Environmental Affairs Committee, the Maryland Rural Health Association (MRHA) is in SUPPORT of Senate Bill 770 - Education – Technology Resources – Funding (Ending the Digital Divide Act).

MRHA supports this legislation that allocates additional funding per pupil in schools to provide technology resources to students and maintain cybersecurity standards for these resources. Rural Marylanders suffer from lack of high speed, reliable broadband services. During the pandemic where Marylanders everywhere depend on reliable internet to connect them to school, work, and health care services, it is imperative that we supply the necessary resources to our rural students to allow them to access virtual classes and online material. This legislation would also provide the funding to ensure online security and safety for our students conducting their studies virtually.

Rural Maryland represents almost 80 percent of Maryland’s land area and 25% of its population. Of Maryland’s 24 counties, 18 are considered rural by the state, and with a population of over 1.6 million they differ greatly from the urban areas in the state. One of these differences, according to Maryland law, is the “changing technological and economic conditions” and “deteriorating or inadequate communications” (West’s Annotated Code of Maryland, State Finance and Procurement § 2-207.8b). In order to continue to deliver essential services to rural Marylanders, there is dire need in these communities for the implementation and maintenance of high-quality broadband services.

MRHA’s mission is to educate and advocate for the optimal health and wellness of rural communities and their residents. Membership is comprised of health departments, hospitals, community health centers, health professionals, and community members in rural Maryland. And while Maryland is one of the richest states, there is great disparity in how wealth is distributed. The greatest portion of wealth resides around the Baltimore/Washington Region; while further away from the I-95 corridor, differences in the social and economic environment are very apparent.

MRHA believes this legislation is important to support our rural communities and we thank you for your consideration.

*Lara Wilson, Executive Director, [larawilson@mdruralhealth.org](mailto:larawilson@mdruralhealth.org), 410-693-6988*

**SB0770 - MCPS-FAV.pdf**

Uploaded by: Suskind, Danielle

Position: FAV



## MONTGOMERY COUNTY BOARD OF EDUCATION

*Expanding Opportunity and Unleashing Potential*

850 Hungerford Drive ♦ Room 123 ♦ Rockville, Maryland 20850

**BILL:** SB0770 (Cross filed with HB0717)  
**TITLE:** Education – Technology Resources – Funding (Ending the Digital Divide Act)  
**DATE:** 3/9/2021  
**POSITION:** Support  
**COMMITTEE:** Education, Health, and Environmental Affairs  
**CONTACT:** Danielle M. Susskind, Coordinator, Legislative Affairs  
[Danielle M Susskind @mcpsmd.org](mailto:Danielle_M_Susskind@mcpsmd.org)

The Montgomery County Board of Education (Board) **Supports** SB0770.

There is currently no required allocation for technology as written by this bill. That lack of clarity has led to systems being unprepared for cyber attacks and virtual learning environments. When forced with difficult decisions, many school systems have elected to put limited funds toward other initiatives, leaving it exposed to cyber attacks and poor service in the virtual learning environment. This bill would support this critical work by allocating funds specifically for this purpose, and help with these issues.

For these reasons, the Board **supports** this legislation and urges a favorable report.

# **SB0770 Testimony.pdf**

Uploaded by: Watts, Jr, W Wesley

Position: FAV



# Testimony for SB770

The Ending The Digital Divide Act of 2021

By W. Wesley Watts Jr.

As a former Chief Information Officer of Prince George's County Public Schools for the past 17 years, I have had the pleasure of working with the administration to budget for information technology services for the students, staff and the school district. During those years, the school district has wired all of the schools and offices, installed wireless access points in all classrooms, cafeterias, gymnasiums, libraries, offices, bus lots, school parking lots, and administrative buildings. Annually, the school district has continued to increase the broadband bandwidth necessary and the Internet service speeds to accommodate the increase of Internet use, the services being provided, and the number of devices/people utilizing the services. The equipment that keeps the network functioning (routers, servers, switches, controllers, and access points) are refreshed every seven to ten years.

About 14 years ago, Prince George's County invested in computing devices (laptops) for all of its teaching staff and many of the instructional support staff so that they have the tools necessary to utilize the school system's online student information system. These devices are typically refreshed every five years.

Several years ago, the Maryland State Department of Education implemented online testing. Prince George's

County again planned for the implementation of Online Testing so that every student could take their tests within the administration window which required that all schools have a certain number of devices available to for testing at specific testing windows.

Budget permitting, Prince George's County Public Schools continued to increase the number of student devices annually but was still several years away from having devices for every student when COVID shut down schools last March. Anticipating the demand from all schools districts, the school system placed orders for 35,000 devices before the end of last school year and an additional 30,000 devices in July 2020. Due to the Cares Act and the Approval of the emergency funds by the Board of Education of the use of one-time funds, the school district was able to provide Internet service to thousands of families and provide devices to students.

However, there will be challenges. Without additional funds, many school districts will not be able to fund Internet access for students and maintain the computing devices resulting into going back to the pre-Covid Infrastructure. School districts need additional funds to support families that need Internet access, to maintain the equipment needed to support the district's network and increased bandwidth, to maintain staff and student devices, and provide technical support for the additional of thousands of users.

SB770 provides dedicated funding needed to support each school district's network infrastructure, provide Internet service, computing devices, software and technical support.

By providing additional funding for the network infrastructure, internet service, computing devices, software, and technical support, all students should have the tools and services they need in the classroom and at home.

**SB0770 Testimony MAPCS 3\_5\_21.pdf**

Uploaded by: Allen, McKenzie

Position: UNF



March 5, 2021 - Written Testimony for SB0770

Thank you, Chairpersons and Committee Members, for allowing me the opportunity to testify in opposition on SB0770. My name is McKenzie Allen and I am the executive director of the Maryland Alliance of Public Charter Schools (also known as MAPCS). MAPCS is a nonprofit organization comprised of charter school operators from across the state. We represent over 21,000 students in 46 schools over six districts.

Our public charter schools, like all public schools, were deeply impacted by the pandemic. Between the abrupt closure of schools, unclear reopening dates, and students and families left in the dark – we saw our already inequitable education systems become even more inaccessible across the state. We, however, saw our public charter school spring into action. Our schools worked hard to use relief and other funds in purchasing tech and connectivity. Our schools found grants and donors and rearranged money, but put tech in the hands of each student. Our public charter schools reported higher rates of students contact, retention, and success in a virtual setting.

The intent of SB0770 is to encourage the continuation of technology usage and integration in schools. That does not rely to the means used in the written legislation and is sure to have dire consequences for all public schools, not just charters. It states that “Providing for the target per pupil foundation amount in fiscal year 2022; requiring each county board of education to use not less than 7% of the target per pupil foundation amount to provide certain technology resources to students; authorizing a local school system, at the end of each fiscal year, to hold unused funds in a special fund to be used in a subsequent fiscal year; requiring a county board that allocates certain funding to follow certain information technology security standards; etc.”

Maryland’s funding for per pupil foundation in FY22 will be \$7,991, so that means that every district must spend \$559.37 per pupil on one of the four tech categories listed or the money will go into holding for spending on another year. A charter school in Maryland receives varying amounts per pupil across the state that each district determines as “commensurate”. These per pupil amounts are, on average over the years, around \$8,000. By reducing that number by \$559.37 per pupil on required tech spending, individual charter schools will lose hundreds of thousands to millions of much needed dollars to pay for facilities, curriculum services, wrap around supports, human capital, and much more. These schools have already developed budgets submitted to each district for FY22 and this legislation could have devastating impact on a charter school’s ability to properly function in the 2021-2022 school year. The small amount they already receive is spread incredibly thin. To reduce it further will have an unbelievably harmful impact on students and communities.

SB0770 also does not take charter schools into consideration around the funding piece. Districts determine what charters get at a per pupil, often withholding pots of money that they will spending on the charter school’s behalf. Sometimes that money is legally required to be withheld, but for others, per legal resolution, charters should be given the opportunity to have a good faith negotiation with district. Ultimately, the district should maximize the money the charters receive in a per pupil and those schools are allowed to spend it at their discretion. This doesn’t always happen. SB0770 does not address whether the money is withheld and spent by the district, or if the funding will be distributed to charter schools on a per pupil basis and spent by the school. This creates intense frustration and tension around the district/charter relationship and could exacerbate the situation mentioned above. This means charter

schools might not receive any benefit from this legislation, losing out on funding and all purchased tech items should the district withhold it. We saw this happen with Chromebooks and hotspots in one district last spring. They distributed devices only to traditional school students, while charters had to figure it out on their own without additional money or opportunity to procure things with flexibility.

We know public charter schools are a beacon for innovation, but by forcing a substantial amount of funding into a restricted pot of money – that they may or may not have access to – does the opposite of the SB0770's intent. This is why we have to oppose SB0770.

If you have any questions or comments, please do not hesitate to reach out. I can be reached at the information below.

Thank you,



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**SB0770-EHE\_MACo\_OPP.pdf**

Uploaded by: Jabin, Drew

Position: UNF



## Senate Bill 770

### *Education – Technology Resources – Funding (Ending the Digital Divide Act)*

MACo Position: **OPPOSE**

To: Education, Health, and Environmental Affairs  
Committee

Date: March 9, 2021

From: Drew Jabin

The Maryland Association of Counties (MACo) **OPPOSES** SB 770. This bill targets education funding to address connectivity issues to support current and ongoing remote schooling offerings. This bill would require county boards of education to designate funds to provide digital tools for students, effectively creating an unfunded mandate.

While counties agree that addressing and eliminating the digital divide is a worthy and pressing cause, mandating the details of how county governments and school systems appropriate education funding is an overstep of state authority on local autonomy. Further, the bill does not clearly address how the additional funding would affect ongoing maintenance of effort requirements, potentially creating dramatic fiscal effects after abatement of short-term funds.

SB 770 would mandate local school boards use at least 7% of the target per pupil funding to provide students with laptops, internet connectivity, technical assistance, and information technology software. This state funding for public schools is set via a formula. Adding new and costly mandated expenses to the required school program belies the lengthy debates regarding these adequacy figures. Counties have no choice but to support these new costs – competing for limited local funds against school construction, public safety, roadway maintenance, and other essential public services. If federal funds are a potential resource for the services envisioned in SB 770, legislation to prioritize these functions as a part of locally developed plans could be a more appropriate state-local partnership. SB 770 creates the funding requirement, but without true assurances that federal funds will necessarily be available to satisfy that vision.

Amidst a broad-based re-thinking of Maryland's education priorities under the Kirwan Blueprint legislation, SB 770 introduces a substantial new mandated cost fully outside the basis for that new vision for school funding. Connectivity and related equity issues are a worthy topic – one that MACo has adopted as a top legislative priority for the 2021 session. However, the SB 770 framework precludes flexibility and leaves future funding sources in doubt. Accordingly, MACo **OPPOSES** SB 770 and requests an **UNFAVORABLE** report.



# **SB 770.Digital Divide Per Pupil Funding Mandate.pd**

Uploaded by: Woolums, John

Position: UNF

**BILL:** Senate Bill 770  
**TITLE:** Education - Technology Resources - Funding  
(Ending the Digital Divide Act)  
**DATE:** March 9, 2021  
**POSITION:** OPPOSE  
**COMMITTEE:** Education, Health, and Environmental Affairs  
**CONTACT:** John R. Woolums, Esq.

The Maryland Association of Boards of Education (MABE), representing all of the State's local boards of education, opposes Senate Bill 770.

While MABE appreciates the overarching goal and objective to achieve equitable access of each student to high quality digital learning resources. MABE is supporting pending State legislation and advocating for federal funding and policy changes to close the “homework gap” and ensure long-term improvements in educational technology resources for all students. However, MABE is opposing this legislation because it would divert a significant amount of per pupil funding for such technology in a manner that would detrimentally impact the per pupil funding allocations to be provided under the Blueprint for Maryland’s Future Act.

The COVID-19 pandemic has highlighted a long-documented and persistent inequity affecting students that lack adequate broadband access. Widespread home-based learning has highlighted a long-documented and persistent inequity of students that lack adequate broadband access. This digital divide, commonly known as the homework gap, impacts millions of students across the nations, and families and students in each of Maryland’s 24 local jurisdictions and school systems.

The homework gap also impacts some of the most vulnerable students such as those with disabilities and English learners. As the instructional environment for students has shifted from traditional classrooms in school buildings to virtual classrooms, the necessity for each student to have high-quality access to the Internet is imperative. With the current crisis dramatically shifting our children’s education to remote and online learning, it has never been more important to address this inequity. However, the homework gap must not be allowed to persist once students return to in-person learning. Broadband access in homes of all students is essential to supporting student learning and enrichment when they are not in school.

In 2021, MABE is supporting Senate Bill 66, legislation essential to Maryland’s efforts to improve necessary high-speed broadband required for twenty-first century learning both when students are school and when they are home. Maryland’s local boards of education are also urging the Federal Communications Commission (FCC) and Congress to focus on ways to improve the overall connectivity and digital infrastructure for all students and abandon efforts to make connectivity more difficult. Closing the homework gap is a pressing national need that must also be addressed through reforms to federal laws and regulations so that all students have equitable access to Maryland’s world class public education system.

For these reasons, MABE requests an unfavorable report on Senate Bill 770.

# **SB 770 Digital Divide LOI.pdf**

Uploaded by: Walmsley, Keith

Position: INFO



## Maryland Developmental Disabilities Council

EMPOWERMENT • OPPORTUNITY • INCLUSION

**Education, Health, and Environmental Affairs Committee**  
**SB 770: Education – Technology Resources – Funding (Ending the Digital Divide Act)**  
**March 4, 2021**  
**Letter of Information**

The Maryland Developmental Disabilities Council (DD Council) has invested hundreds of thousands of dollars in broadband and technology access since the beginning of the COVID-19 pandemic. This includes getting technology into the hands of some of Maryland's most underserved citizens. The Council was on the frontline in addressing the emergent need of students and families last year as remote schooling became a reality. Access to internet is critical for all people, including people with developmental disabilities. The aims of this bill are timely and laudable.

This important legislation centers the reality, brought into sharp focus by the pandemic that access to reliable, high-quality broadband Internet service at an affordable price is important to all Marylanders, including people with disabilities. Maryland's citizens with developmental disabilities want and need to participate in everyday activities online. This bill helps to ensure affordable, reliable internet access for all regardless of zip code or income level. With greater access, people can communicate with family, a healthcare professional, a bank, or arrange a grocery delivery, among other things. Many people with disabilities receive services and supports via the Developmental Disabilities Administration can be provided remotely and online.

The pathway to ending the digital divide that this bill would make law would require each county board of education to use not less than 7% of the target per pupil foundation amount to provide technology to students. Additionally, it authorizes a local school system, at the end of each fiscal year, to hold unused funds in a special fund to be used in a subsequent fiscal year and requires a county board that allocates technology funding to follow IT security standards.

The legislature worked hard to pass the Blueprint for Maryland's Future. That bill was the result of a years long deep-dive into our State and local education funding. It is imperative that Maryland holds fast to its' commitments to all children, at the levels of funding best determined to meet their needs.

This bill opens an important conversation about a valid and real issue. How do we get technology into the hands of kids who need it? It asks a second question of what will be taken away to make that possible?

**Additional access the internet is essential so children with developmental disabilities can access remote schooling, remain connected to extra-curricular activities and friends, and be able to fully participate in a meaningful range of interactions.**

Contact: Keith Walmsley, Director of Public Policy Initiatives  
kwalmsley@md-council.org