

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1365

Chapter 301, Laws of 2021

67th Legislature
2021 Regular Session

PUBLIC SCHOOLS—TECHNOLOGY—PROCUREMENT AND SUPPORT

EFFECTIVE DATE: July 25, 2021

Passed by the House April 23, 2021
Yeas 61 Nays 36

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 22, 2021
Yeas 30 Nays 19

DENNY HECK

President of the Senate

Approved May 13, 2021 11:48 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1365** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 13, 2021

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1365

AS AMENDED BY THE SENATE

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By House Appropriations (originally sponsored by Representatives Gregerson, Stonier, Ramos, Callan, Simmons, J. Johnson, Taylor, Lovick, Leavitt, Ortiz-Self, Berg, Fitzgibbon, Ryu, Morgan, Wicks, Tharinger, Duerr, Ormsby, Hansen, Berry, Dolan, Valdez, Cody, Bronoske, Senn, Bateman, Bergquist, Kloba, Riccelli, Davis, Macri, Ramel, Harris-Talley, Pollet, and Sells)

READ FIRST TIME 02/22/21.

1 AN ACT Relating to procuring and supporting appropriate computers
2 and devices for public school students and instructional staff;
3 amending RCW 28A.650.010; adding new sections to chapter 28A.650 RCW;
4 adding new sections to chapter 28A.300 RCW; creating new sections;
5 repealing RCW 28A.650.005, 28A.650.015, 28A.650.020, 28A.650.025,
6 28A.650.030, 28A.650.900, and 28A.650.901; and providing expiration
7 dates.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that the
10 COVID-19 pandemic exposed the importance of internet-accessible
11 learning devices for the ability of students to receive a modern
12 education. When Washington schools closed in March 2020, schools and
13 school districts shifted quickly to offering education in an online
14 environment. Teachers adapted their lessons for videoconferencing
15 platforms and arranged for students to submit homework via email.
16 However, limited opportunities for in-person instruction amplified
17 digital deserts and disparities among students that are likely to
18 continue to grow for the foreseeable future.

19 (2) The legislature finds that students from low-income families
20 face disproportionate barriers to accessing learning over the
21 internet in their homes, partly because they do not have internet-

1 accessible devices appropriate for learning. The legislature also
2 recognizes that accessing learning over the internet requires more
3 than just an internet-accessible device appropriate for learning. For
4 students and their families to be truly connected, they need the
5 digital literacy, digital skills, and digital support to use
6 internet-accessible devices and to navigate the web in support of
7 student learning.

8 (3) Therefore, the purposes of this act are to: (a) Accelerate
9 student access to learning devices and related goods and services;
10 (b) expand training programs and technical assistance on using
11 technology to support student learning; and (c) build the capacity of
12 schools and districts to support digital navigation services for
13 students and their families.

14 **Sec. 2.** RCW 28A.650.010 and 2017 c 90 s 1 are each amended to
15 read as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) "Digital citizenship" includes the norms of appropriate,
19 responsible, and healthy behavior related to current technology use,
20 including digital and media literacy, ethics, etiquette, and
21 security. The term also includes the ability to access, analyze,
22 evaluate, develop, produce, and interpret media, as well as internet
23 safety and cyberbullying prevention and response.

24 (~~(2) ("Education technology" or "technology" means the effective~~
25 ~~use of electronic and optical tools, including telephones, and~~
26 ~~electronic and optical pathways in helping students learn.~~

27 ~~(3) "Network" means integrated linking of education technology~~
28 ~~systems in schools for transmission of voice, data, video, or~~
29 ~~imaging, or a combination of these.)) "Learning device" means an
30 internet-accessible computer, tablet, or other device, with an
31 appropriate operating system, software applications, and data
32 security, that can be used to access curricula, educational web
33 applications and websites, and learning management systems, and with
34 telecommunications capabilities sufficient for videoconferencing.~~

35 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.650
36 RCW to read as follows:

37 (1) Each educational service district shall provide technology
38 consultation, procurement, and training, in consultation with

1 teacher-librarians through school library information and technology
2 programs as defined in RCW 28A.320.240, and as described in this
3 section. An educational service district may meet the requirements of
4 this section in cooperation with one or more other educational
5 service districts.

6 (2) Technology consultation involves providing technical
7 assistance and guidance to local school districts related to
8 technology needs and financing, and may include consultation with
9 other entities.

10 (3)(a) Technology procurement involves negotiating for local
11 school district purchasing and leasing of learning devices and
12 peripheral devices, learning management systems, cybersecurity
13 protection, device insurance, and other technology-related goods and
14 services.

15 (b) When selecting goods and services for procurement, the
16 educational service district must consider a variety of student
17 needs, as well as accessibility, age appropriateness, privacy and
18 security, data storage and transfer capacity, and telecommunications
19 capability.

20 (c) Technology procurement may be performed in consultation and
21 contract with the department of enterprise services under chapter
22 39.26 RCW.

23 (4) Technology training involves developing and offering direct
24 services to local school districts related to staff development and
25 capacity building to provide digital navigation services to students
26 and their families. The educational service districts must seek to
27 consult teacher-librarians and other relevant information technology
28 programs to determine where there is a need and focus for this
29 training. These services may be provided on a fee-for-service basis.

30 (5) Technology consultation, procurement, and training under this
31 section must be provided to local public schools, as defined in RCW
32 28A.150.010, the Washington center for deaf and hard of hearing
33 youth, and the school for the blind, in addition to local school
34 districts. Technology training under this section may also be offered
35 to child care providers.

36 (6) The educational service districts must cooperate with the
37 office of the superintendent of public instruction to provide the
38 data required under section 5(1) of this act.

1 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.650
2 RCW to read as follows:

3 (1) Subject to the availability of amounts appropriated for this
4 specific purpose, the office of the superintendent of public
5 instruction shall develop and administer a technology grant program,
6 as described in this section, to advance the following objectives:

7 (a) Attain a universal 1:1 student to learning device ratio;

8 (b) Expand technical support and training of school and district
9 staff in using technology to support student learning; and

10 (c) Develop district-based and school-based capacity to assist
11 students and their families in accessing and using technology to
12 support student learning.

13 (2) The following entities, individually or in cooperation, may
14 apply to the office of the superintendent of public instruction for a
15 grant under this section: A public school as defined in RCW
16 28A.150.010; a school district; an educational service district; the
17 Washington center for deaf and hard of hearing youth; and the state
18 school for the blind.

19 (3) At a minimum, grant applications must include:

20 (a) The applicant's technology plan for accomplishing the goals
21 of the grant program, the applicant's student demographics, including
22 the percent of students eligible for free and reduced-price meals,
23 and any specialized technology needs of the applicant's students,
24 such as students with disabilities and English learners who may need
25 adaptive or assistive technologies; and

26 (b) A description of preexisting programs and funding sources
27 used by the applicant to provide learning devices to students, staff,
28 or both.

29 (4) When ranking and selecting applicants, the office of the
30 superintendent of public instruction must prioritize both of the
31 following:

32 (a) Applicants without preexisting programs to provide a device
33 for every student and that have 30 percent or more students eligible
34 for free and reduced-price meals; and

35 (b) Applicants with students who have specialized technology
36 needs.

37 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.650
38 RCW to read as follows:

1 (1) The office of the superintendent of public instruction shall
2 collect and analyze the following data:

3 (a) Demographic, distribution, and other data related to
4 technology initiatives; and

5 (b) Biennial survey data on school and school district progress
6 to accomplish the objectives listed in section 4(1) of this act.

7 (2) By November 1, 2022, and by November 1st every even year
8 thereafter, the office of the superintendent of public instruction
9 shall provide a report to the appropriate policy and fiscal
10 committees of the legislature, in accordance with RCW 43.01.036,
11 with:

12 (a) A summary of the technology initiatives data collected under
13 subsection (1) of this section;

14 (b) The status of the state's progress in accomplishing the
15 following: (i) Accelerate student access to learning devices and
16 related goods and services; (ii) expand training programs and
17 technical assistance on using technology to support student learning;
18 and (iii) build the capacity of schools and districts to support
19 digital navigation services for students and their families;

20 (c) Recommendations for improving the administration and
21 oversight of the technology initiatives; and

22 (d) An update on innovative and collaborative activities
23 occurring in communities across the state to support widespread
24 public technology literacy and fluency, as well as student universal
25 access to learning devices.

26 (3) By November 1, 2022, the office of the superintendent of
27 public instruction shall survey districts, collect data, and provide
28 a report to the appropriate policy and fiscal committees of the
29 legislature that contains, at a minimum, the following:

30 (a) A list of districts that have a separate technology levy;

31 (b) The total amount of funding generated by the technology
32 levies; and

33 (c) A detailed breakdown on how the funds generated by the
34 technology levies are being used, including, but not limited to, the
35 number of technology devices being purchased with those funds,
36 personnel costs related to servicing and maintaining those devices
37 covered by those funds, and any training or professional development
38 for use of technology provided with those funds.

39 (4) For the purposes of this section, "technology initiatives"
40 means the technology grants awarded by the office of the

1 superintendent of public instruction under section 4 of this act, and
2 the provision of technology consultation, procurement, and training
3 by educational service districts under section 3 of this act.

4 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.300
5 RCW to read as follows:

6 (1)(a) The office of the superintendent of public instruction
7 shall establish a grant program for the purposes of supporting media
8 literacy and digital citizenship through school district leadership
9 teams. The office of the superintendent of public instruction shall
10 establish and publish criteria for the grant program, and may accept
11 gifts, grants, or endowments from public or private sources for the
12 grant program.

13 (b) A school district that receives a grant under this section is
14 not prohibited from receiving a grant in subsequent grant cycles.

15 (2)(a) For a school district to qualify for a grant under this
16 section, the grant proposal must provide that the grantee create a
17 district leadership team that develops a curriculum unit on media
18 literacy or digital citizenship, or both, that may be integrated into
19 one of the following areas:

- 20 (i) Social studies;
- 21 (ii) English language arts; or
- 22 (iii) Health.

23 (b) School districts selected under the grant program are
24 expected to evaluate the curriculum unit they develop under this
25 subsection (2).

26 (c) In developing their curriculum unit, school districts
27 selected under the grant program are encouraged to work with school
28 district teacher-librarians or a school district library information
29 technology program, if applicable.

30 (3) The establishment of the grant program under this section is
31 subject to the availability of amounts appropriated for this specific
32 purpose.

33 (4) The curriculum unit developed under this section must be made
34 available as an open educational resource.

35 (5)(a) Up to 10 grants a year awarded under this section must be
36 for establishing media literacy professional learning communities
37 with the purpose of sharing best practices in the subject of media
38 literacy.

1 (b) (i) Grant recipients under this subsection (5) are required to
2 develop an online presence for their community to model new
3 strategies and to share ideas, challenges, and successful practices.

4 (ii) Grant recipients shall attend the group meetings created by
5 the office of the superintendent of public instruction under (c) of
6 this subsection (5).

7 (c) The office of the superintendent of public instruction shall
8 convene group meetings for the purpose of sharing best practices and
9 strategies in media literacy education.

10 (d) Additional activities permitted for the use of these grants
11 include, but are not limited to:

12 (i) Organizing teachers from across a school district to develop
13 new instructional strategies and to share successful strategies;

14 (ii) Sharing successful practices across a group of school
15 districts; and

16 (iii) Facilitating coordination between educational service
17 districts and school districts to provide training.

18 (6) (a) At least one grant awarded in each award cycle must be for
19 developing and using a curriculum that contains a focus on synthetic
20 media as a major component.

21 (b) For the purposes of this section, "synthetic media" means an
22 image, an audio recording, or a video recording of an individual's
23 appearance, speech, or conduct that has been intentionally
24 manipulated with the use of digital technology in a manner to create
25 a realistic but false image, audio, or video.

26 (7) This section expires July 31, 2031.

27 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.300
28 RCW to read as follows:

29 (1) Subject to the availability of amounts appropriated for this
30 specific purpose, the office of the superintendent of public
31 instruction shall convene two regional conferences on the subject of
32 media literacy and digital citizenship.

33 (2) The conferences in this section should highlight the work
34 performed by the recipients of the grant program established under
35 section 6 of this act, as well as best practices in media literacy
36 and digital citizenship.

37 (3) The locations for conferences convened under this section
38 must include one site in western Washington and one site in eastern
39 Washington.

1 (4) This section expires July 31, 2031.

2 NEW SECTION. **Sec. 8.** The following acts or parts of acts are
3 each repealed:

4 (1) RCW 28A.650.005 (Findings—Intent) and 1993 c 336 s 701;

5 (2) RCW 28A.650.015 (Education technology plan—Educational
6 technology advisory committee) and 2011 1st sp.s. c 43 s 725, 2011
7 1st sp.s. c 11 s 133, 2009 c 556 s 17, 2006 c 263 s 917, 1995 c 335 s
8 507, 1994 c 245 s 2, & 1993 c 336 s 703;

9 (3) RCW 28A.650.020 (Regional educational technology support
10 centers—Advisory councils) and 1993 c 336 s 705;

11 (4) RCW 28A.650.025 (Distribution of funds for regional
12 educational technology support centers) and 1993 c 336 s 706;

13 (5) RCW 28A.650.030 (Distribution of funds to expand the
14 education statewide network) and 1993 c 336 s 707;

15 (6) RCW 28A.650.900 (Findings—Intent—Part headings not law—1993
16 c 336); and

17 (7) RCW 28A.650.901 (Findings—1993 c 336).

18 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
19 this act, referencing this act by bill or chapter number, is not
20 provided by June 30, 2021, in the omnibus appropriations act, this
21 act is null and void.

Passed by the House April 23, 2021.

Passed by the Senate April 22, 2021.

Approved by the Governor May 13, 2021.

Filed in Office of Secretary of State May 13, 2021.

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