

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2386 Session of
2004

INTRODUCED BY VEON, DeWEESE, THOMAS, BEBKO-JONES, BELARDI,
BROWNE, DALEY, FAIRCHILD, GEIST, GEORGE, GOODMAN, GRUCELA,
JAMES, MARKOSEK, READSHAW, SATHER, SCRIMENTI, SURRA, TIGUE,
WASHINGTON, YOUNGBLOOD, HARHAI, LaGROTTA, PALLONE, SANTONI,
SAYLOR, STURLA, TANGRETTI, WALKO, WOJNAROSKI, YUDICHAK,
FRANKEL, CORRIGAN, MANDERINO, SHANER AND BELFANTI,
MARCH 8, 2004

REFERRED TO COMMITTEE ON EDUCATION, MARCH 8, 2004

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for grants to schools for
6 network linking educational services; and making an
7 appropriation.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
11 as the Public School Code of 1949, is amended by adding a
12 section to read:

13 Section 2527. Pennsylvania Education Network.--(a) The
14 General Assembly finds as follows:

15 (1) It is imperative for the future of Pennsylvania's
16 students that the quality and equity of learning opportunities
17 be enhanced by an advanced telecommunications network linking
18 educational services and resources in this Commonwealth.

1 (2) In 1996, Project Link to Learn was enacted, in part, to
2 create a widely accessible Statewide telecommunications
3 infrastructure for the benefit of Pennsylvania schools.

4 (3) Sufficient financial resources have not been available
5 to meet the network connectivity and network use needs of the
6 Pennsylvania Education Network established by Project Link to
7 Learn.

8 (4) The network and associated funding stream created by
9 this section will significantly enhance the telecommunications
10 abilities of intermediate units, school districts and schools
11 within this Commonwealth to help Pennsylvanians learn.

12 (b) The department of shall establish and administer, under
13 regulations promulgated by the department, a Pennsylvania
14 Education Technology Fund. This fund shall be administered in a
15 separate, tax-exempt account in the Treasury Department and
16 shall be initially funded by an appropriation in this section.
17 The department may use moneys from this fund to develop the
18 network architecture and establish the department's connection
19 to and participation in the PEN.

20 (c) (1) Grants shall be allocated to intermediate units,
21 school districts and area vocational-technical schools by the
22 department from the fund. A nonpublic school may participate in
23 the grant process only through a partnership with a school
24 district or intermediate unit.

25 (2) Grants shall be used to enhance the ability of an
26 intermediate unit, school district or area vocational-technical
27 school to connect to and utilize the PEN by improving the
28 quality of educational technology and services to meet the
29 minimum standards and specifications established in subsection
30 (d), including payment of monthly recurring charges, initial

installation charges and equipment costs as follows:

(i) Intermediate units shall receive grants for the purposes specified under subsection (d)(1)(i) and (ii).

(ii) School districts shall receive grants for the purposes specified under subsection (d)(1)(iii).

(3) Any moneys remaining in the fund after distribution of grant moneys for the purposes specified in clause (2) shall be utilized to equip public and nonpublic schools, intermediate units and other entities with the appropriate resources to ensure efficient use of the PEN for the purposes provided in subsection (e). Each intermediate unit, vocational-technical school and school district that did not receive an allocation of moneys sufficient to meet the purposes specified in subsection (e)(2) because all or part of the standards in subsection (d) were already achieved shall receive an allocation for the purposes under subsection (f) in an amount up to one hundred per centum (100%) of the moneys that would have been required to meet the purposes of subsection (d).

(4) Any moneys remaining in the fund after distribution of grant moneys for the purposes under clauses (2) and (3) shall be allocated through a competitive grant process for any purposes under subsection (d) or (e).

(5) (i) Grants under clauses (2) and (3) shall be allocated through a grant review process established by the Secretary of Education.

(ii) The department may establish matching requirements for grant recipients.

(iii) The application for a grant shall be made at such time and in such form as the Secretary of Education may require.

(iv) An applicant may collaborate or form a partnership with

one or more of the following: a political subdivision, a school district, an area vocational-technical school, an intermediate unit or any other entity approved by the department.

(d) (1) The department, in cooperation with the Department of Community and Economic Development and the Governor's Office of Administration, shall establish standards regarding the network architecture for the PEN. Any entity receiving moneys from the fund must comply with these standards. The minimum dedicated or equivalent upstream and downstream connection speeds shall be as follows:

(i) from the department to intermediate units, one hundred fifty-five (155) megabits per second;

(ii) from intermediate units to school districts and area vocational-technical schools, forty-five (45) megabits per second; and

(iii) from school districts to individual school buildings, one and five hundred forty-four thousandths (1.544) megabits per second.

(2) Three years after the effective date of this section, and annually thereafter, the department may increase the minimum connection speeds provided in subsection (d)(1).

(3) Nothing in this section shall prevent a grant recipient from establishing connection speeds in excess of the minimum speeds established pursuant to this section.

(4) The PEN and the standards referred to in this subsection must be completed for all school districts, intermediate units and area vocational-technical schools no later than December 31, 2006.

(e) In addition to the payment of equipment and service costs to meet the minimum standards established in subsection

(d), grants under this section shall be utilized to provide and enhance all of the following:

(1) Twenty-four (24) hour access to educational resources.

(2) Teacher support services, including professional development.

(3) Curriculum support services.

(4) Remedial education.

(5) Student assessment.

(6) Collaboration among the PEN participants, including group purchasing of educational supplies and services.

(7) Parental access to educational resources.

(8) Data storage and management.

(9) Emergency management and security.

(10) Administrative and staff support.

(11) Connections, including maintenance of minimum connections in subsection (d) or connectivity upgrades in excess of the minimum speeds established pursuant to this section.

(12) Other uses of technology to enhance education in a manner approved by the department.

(f) The provisions of this section are intended to complement Federal technology initiatives, including those established pursuant to the Universal Service Support Mechanism for Schools and Libraries established in section 254 of the Telecommunications Act of 1996 (Public Law 104-104, 110 Stat. 56). The department shall administer the grant program under this section to maximize the ability of grant recipients to access all sources of Federal funding. However, nothing in this section shall prohibit the department from authorizing grants for purposes specified in subsection (d) or (e) which are not eligible for Federal funding.

1 (g) The sum of fifty million dollars (\$50,000,000), or as
2 much thereof as may be necessary, is hereby appropriated to the
3 Department of Education for the fiscal year July 1, 2004, to
4 June 30, 2005, in order to provide grants under this section.

5 (h) As used in this section, the following words and phrases
6 shall have the meanings given to them in this subsection:

7 "Department." The Department of Education of the
8 Commonwealth.

9 "Fund." The Pennsylvania Education Technology Fund
10 established in subsection (b).

11 "Intermediate unit." An intermediate unit established
12 pursuant to Article IX-A.

13 "Pennsylvania Education Network" or "PEN." The Statewide
14 telecommunications network established by Article XV-A.

15 Section 2. This act shall take effect immediately.