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3 SENATE F&TE COMMITTEE SUBSTITUTE FOR SB17
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8 SYNOPSIS: Under existing law, the Alabama Ahead Act,
9 commencing with the 2012-2013 school year, phased
10 in the provision of textbooks and other
11 instructional materials to students and teachers in
12 electronic format through pen-enabled tablets and
13 mobile computers. The law requires the State
14 Department of Education to establish an advisory
15 committee.

16 This bill, commencing with the 2016-2017
17 school year, would delete the requirement that the
18 tablets and mobile computers be pen-enabled, would
19 delete the phase-in provisions, would delete the
20 reassignment provisions, would delete the
21 requirement for the establishment of an advisory
22 committee and would establish the Alabama Ahead
23 Oversight Committee.

24 This bill would amend the Alabama Ahead Act
25 to provide that funds be used to purchase and
26 install, maintain, or upgrade as a first priority,

1 a high-quality standards-based broadband Wi-Fi
2 infrastructure in every regular use classroom and
3 library in every public school; and use remaining
4 funds to purchase mobile digital resources.

5 This bill would provide local school systems
6 with the option of participating in the plan.

7
8 A BILL
9 TO BE ENTITLED
10 AN ACT

11
12 To amend Sections 16-16B-1 and 16-16B-2, Code of
13 Alabama 1975, relating to the Alabama Ahead Act; commencing
14 with the 2016-2017 school year, to delete the requirement that
15 tablets and mobile computers be pen-enabled; to delete the
16 phase-in provisions; to delete the reassignment provisions; to
17 delete the requirement for the establishment of an advisory
18 committee; to establish the Alabama Ahead Oversight Committee;
19 to make participation by local school systems voluntary; to
20 provide that funds be used to purchase and install, maintain
21 or upgrade a high-quality, standards-based, broadband Wi-Fi
22 infrastructure and mobile digital computing devices to enable
23 access to digital instructional materials in all public school
24 classrooms; and to amend Section 14 of Act 2012-560, 2012
25 Regular Session, to delete the requirement that implementation
26 of the act be contingent upon separate legislative enactment.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Sections 16-16B-1 and 16-16B-2 of the
3 Code of Alabama 1975, are amended to read as follows:

4 "§16-16B-1.

5 "(a) This chapter shall be known and may be cited as
6 the Alabama Ahead Act.

7 "(b) (1) Commencing with the ~~2012-2013~~ 2016-2017
8 school year, students ~~in grades 9-12 shall~~ may be provided
9 textbooks in electronic format to the. Textbooks in electronic
10 format may be available to schools under the jurisdiction of
11 those local boards of education schools which choose to
12 participate in Alabama Ahead, to the extent practicable ~~and~~
13 ~~obtainable from the publisher, textbooks adopted pursuant to~~
14 ~~Article 3, commencing with Section 16-36-60, of Chapter 36 of~~
15 ~~Title 16 and other instructional materials through a phased-in~~
16 ~~process.~~ and funding is obtainable, to provide students with
17 resources in the following three areas:

18 "a. Wireless broadband access via high-quality WiFi
19 infrastructure in schools, as a first priority pursuant to
20 Section 2.

21 "b. Upgrades, expansions, and maintenance of
22 existing WiFi infrastructure.

23 "c. Devices, digital content, management systems,
24 debt service, or support.

25 "(2) Digital textbooks ~~and or~~ other instructional
26 materials provided in electronic format ~~shall~~ may also be

1 provided to students to support the appropriate course or
2 courses of study.

3 "(c) Where feasible, each ~~public ninth grade~~ student
4 and teacher ~~will~~ may be provided in lieu of or in addition to
5 hardbound textbooks and other instructional materials, in
6 whole or in part, a mobile digital computing device
7 ~~pen-enabled: tablet, mobile computer,~~ or other similar
8 wireless electronic device for utilizing 21st Century
9 technology for storing, reading, accessing, exploring, and
10 interacting with digital textbooks and other instructional
11 materials. ~~Each student provided with a pen-enabled: tablet,~~
12 ~~mobile computer, or other similar wireless electronic device,~~
13 ~~and his or her parent or legal guardian, is responsible for~~
14 ~~maintaining the assigned device in good working order~~
15 ~~throughout the school year and for returning the device to the~~
16 ~~providing school at the end of the school year.~~ Local boards
17 of education that choose to participate in this plan shall
18 establish practices and policies to ensure the safe-keeping
19 and maintenance of such devices and conduct inventories to
20 account for them annually.

21 "~~(d) The following school year, the providing school~~
22 ~~shall reassign the pen-enabled: tablet, mobile computer, or~~
23 ~~other similar wireless electronic device to the students in~~
24 ~~the tenth grade public school system while continuing to~~
25 ~~provide incoming ninth grade public school students with a~~
26 ~~pen-enabled: tablet, mobile computer, or other similar~~

1 ~~wireless electronic device. This process will be repeated in~~
2 ~~participating school systems to ensure a planned roll-over of~~
3 ~~devices and continued support.~~

4 ~~"(e)(d)(1) The Department of Education shall lead,~~
5 ~~implement, provide oversight, and administer this chapter and~~
6 ~~shall adopt such rules as necessary in accordance with an to~~
7 ~~fully implement this act.This plan shall include, but is not~~
8 ~~limited to, the following: Minimum specifications for devices;~~
9 ~~learning management system; maintenance and support~~
10 ~~requirements of the electronic devices authorized in this~~
11 ~~chapter; current readiness of participating schools' wireless~~
12 ~~networks; professional development for teachers; application~~
13 ~~process for school systems participating.~~

14 ~~"(2) Any system that chooses to participate in~~
15 ~~Alabama Ahead shall submit an application to the State~~
16 ~~Department of Education, a copy of which shall be provided to~~
17 ~~the Alabama Ahead Oversight Committee.~~

18 ~~"(f) On or before October 1, 2012, and prior to~~
19 ~~implementation of this section, the State Department of~~
20 ~~Education shall provide a copy of the proposed implementation~~
21 ~~plan to the Chair of the Senate Education Policy Committee and~~
22 ~~the Chair of the House of Representatives Education Policy~~
23 ~~Committee.~~

24 ~~"(g) The State Department of Education shall~~
25 ~~establish an advisory committee to assist in the~~
26 ~~implementation of this chapter. The membership of the~~

1 ~~committee shall include, but not be limited to, the House of~~
2 ~~Representatives and Senate sponsors of the primary legislation~~
3 ~~establishing the Alabama Ahead Act, a member of the House of~~
4 ~~Representatives as appointed by the Speaker of the House of~~
5 ~~Representatives, and a member of the Senate as appointed by~~
6 ~~the President Pro Tempore of the Senate.~~

7 ~~"(h) The membership shall be inclusive and shall~~
8 ~~reflect the racial, gender, geographic, urban/rural, and~~
9 ~~economic diversity of the state.~~

10 "(e) There is created the Alabama Ahead Oversight
11 Committee. The Oversight Committee shall consist of the Chair
12 of the House Ways and Means Education Committee or designee,
13 the Chair of the Senate Finance and Taxation Education
14 Committee or designee, two members appointed by the Speaker of
15 the House of Representatives, two members appointed by the
16 President Pro Tempore of the Senate, the Director of the
17 Governor's Broadband Initiative Office, the State
18 Superintendent of Education or designee, and an appointee of
19 the School Superintendents of Alabama. The oversight provided
20 by the Oversight Committee shall include, but not be limited
21 to: (1) evaluating and confirming the appropriateness of
22 applications submitted to the State Department of Education
23 and (2) providing oversight and administration of
24 implementation.

25 "(f) Ex officio members of the Oversight Committee
26 shall include a representative of: the Alabama Technology

1 Network, the Alabama Virtual Library, the Alabama
2 Supercomputer Authority, Alabama Public Television, and the
3 Alabama Educational Technology Association (AETA) who have
4 experience and knowledge in the administration and management
5 of school networks.

6 "(g) With the exception of those members serving on
7 the committee by virtue of their respective offices, each
8 member must have proven experience in the areas of
9 instructional technology, network design, public school
10 business practices and/or public school administration or
11 other similar experience commensurate with the duties and
12 responsibilities of the proper knowledge of the implementation
13 of this project.

14 ~~(g)~~ (h) Appointed members shall not be entitled to
15 receive any direct or indirect personal gain from this
16 assignment. The members shall serve without compensation for
17 their services.

18 ~~(h)~~ (i) The membership of the Committee shall be
19 inclusive and reflect the racial, gender, geographic,
20 urban/rural, and economic diversity of the state."

21 "§16-16B-2.

22 "(a) Wherever used in this chapter, the following
23 terms shall have the following meanings unless the context
24 clearly indicates otherwise:

1 "(1) "1965 Act" means Act No. 243 enacted at the
2 1965 First Special Session of the Legislature, codified as
3 Title 16, Chapter 16.

4 "(2) "1971 Acts" means Act No. 94 enacted at the
5 1971 First Special Session of the Legislature, Act No. 2428
6 enacted at the 1971 Regular Session of the Legislature, and
7 Act No. 56 enacted at the 1971 Second Special Session of the
8 Legislature.

9 "(3) "1973 Act" means Act No. 1277 enacted at the
10 1973 Regular Session of the Legislature as amended by Act No.
11 73 enacted at the 1975 Third Special Session of the
12 Legislature and Act No. 1223 enacted at the 1975 Regular
13 Session of the Legislature.

14 "(4) "1978 Act" means Act No. 138 enacted at the
15 1978 Second Special Session of the Legislature, as amended by
16 Act No. 79-41 enacted at the 1979 Special Session of the
17 Legislature and Act No. 81-827 enacted at the 1981 Regular
18 Session of the Legislature.

19 "(5) "1985 Act" means Act No. 85-943 enacted at the
20 1985 Second Special Session of the Legislature.

21 "(6) "1990 Act" means Act No. 90-280 enacted at the
22 1990 Regular Session of the Legislature.

23 "(7) "1995 Act" means Act No. 95-752 enacted at the
24 1995 Regular Session of the Legislature.

25 "(8) "1998 Act" means Act No. 98-373 enacted at the
26 1998 Regular Session of the Legislature.

1 "(9) "1999 Act" means Act No. 99-348 enacted at the
2 1999 Regular Session of the Legislature.

3 "(10) "2001 Act" means Act No. 2001-668 enacted at
4 the 2001 Regular Session of the Legislature.

5 "(11) "2002 Act" means Act No. 2002-240 enacted at
6 the 2002 Regular Session of the Legislature.

7 "(12) "2003 Act" means Act No. 2003-436 enacted at
8 the 2003 Second Special Session of the Legislature.

9 "(13) "2007 Act" means Act No. 2007-414 enacted at
10 the 2007 Regular Session of the Legislature.

11 "(14) "Authority" means Alabama Public School and
12 College Authority.

13 "(15) "Bonds" (except where that word is used with
14 reference to bonds issued under another act) means those
15 bonds, other than Refunding Bonds, issued under the provisions
16 of this chapter.

17 "(16) "Computer equipment and software" means
18 ~~pen-enabled~~ tablets, mobile computers, or similar wireless
19 electronic devices for storing, reading, accessing, exploring,
20 and interacting with digital textbooks and other instructional
21 material as well as software necessary for such equipment,
22 learning management system, and equipment necessary to support
23 wireless local area networks.

24 "(17) "Digital textbooks" means an interactive,
25 multimedia electronic book or digital resources that can be
26 used creatively by learners.

1 "(18) "Government securities" means any bonds or
2 other obligations which as to principal and interest
3 constitute direct obligations of, or are unconditionally
4 guaranteed by, the United States of America, including
5 obligations of any federal agency to the extent such
6 obligations are unconditionally guaranteed by the United
7 States of America and any certificates or any other evidences
8 of an ownership interest in such obligations of, or
9 unconditionally guaranteed by, the United States of America or
10 in specified portions thereof (which may consist of the
11 principal thereof or the interest thereon).

12 "(19) "Infrastructure" means the hardware and
13 software resources that enable network connectivity,
14 communication, operations, and management.

15 "~~(19)~~ (20) "Legislature" means the Legislature of
16 Alabama.

17 "~~(22)~~ (21) "State" means the State of Alabama.

18 "~~(23)~~ (22) "Trust fund" means the Education Trust
19 Fund, formerly designated as the Alabama Special Educational
20 Trust Fund, the name of which was changed to the Education
21 Trust Fund, effective October 1, 1996, pursuant to Act No.
22 95-264 enacted at the 1995 Regular Session of the Legislature.

23 "(23) "Wi-Fi" means a wireless networking technology
24 that allows computers and other devices to communicate over a
25 wireless signal.

1 "(24) "WIRED" means Wireless Infrastructure
2 Renovation for Education plan, the approved standards-based
3 funding model developed by the Alabama Educational Technology
4 Association (AETA), and endorsed by the State Board of
5 Education, which shall be the minimum requirement for all
6 school systems.

7 "(25) "WLAN" means a wireless local area network.

8 "(b) Nouns and pronouns when used in this chapter
9 shall be deemed to include both singular and plural and all
10 applicable genders."

11 Section 2. Section 16-16B-2.1 is added to the Code
12 of Alabama 1975, to read as follows:

13 (a) (1) Contingent on funding, during the 2016-2017
14 school year, local school systems may begin installing
15 sufficient, high-quality standards-based broadband WiFi
16 infrastructure and, where possible, mobile digital devices to
17 enable access to digital instructional materials and, to the
18 extent practicable, textbooks in electronic format.

19 (2) In order to accomplish subdivision (1), the
20 following priorities are established:

21 a. Wireless infrastructure: The first priority for
22 the expenditure of Alabama Ahead Act funds is the
23 establishment of a high-quality, standards-based wireless
24 local area network (WLAN) infrastructure capable of providing
25 all teachers and students with sufficient WiFi broadband

1 access in all classrooms and common areas of schools, where
2 feasible as described in WIRED.

3 b. Standards: Local school systems shall use
4 applicable funds to install wireless networks or upgrade
5 existing networks to satisfy Alabama Educational Technology
6 Association (AET) standards that include high-quality,
7 enterprise level networking equipment.

8 Each regular classroom shall be equipped with
9 high-quality wireless access for 30 to 40 devices
10 simultaneously. Each specialty classroom, that routinely
11 serves groups of less than 20 people, may satisfy a lesser
12 standard.

13 Each cafeteria shall have sufficient wireless access
14 for one-third of the then current enrollment of the school.

15 Each library media center shall be equipped with
16 high quality wireless access for at minimum one-third of the
17 capacity of the library media center.

18 Each administrative and noninstructional area of a
19 school shall have coverage, however, high density coverage is
20 not required in these areas.

21 c. Upon installation and approval of the
22 standards-based wireless infrastructure, or upgrades of
23 existing wireless infrastructure, local school systems may use
24 the remaining funds available to those local school systems
25 for the purposes established pursuant to the provisions of
26 this act. To expend these funds, an application shall be

1 submitted to the Educational Technology Department of the
2 State Department of Education.

3 d. Other network technology: If the wireless
4 networks of a local school system satisfy the requirements of
5 the Oversight Committee, funds may be spent to further enhance
6 digital learning environments within the schools of that
7 school system and may include technologies such as:

8 1. Support and warranty services.

9 2. Optional hardware and software to manage or
10 enhance the digital learning environment.

11 e. Network debt. Funds may be used for retiring debt
12 for a network brought into compliance with the standards; or,
13 for networks previously installed that satisfy the standards
14 established by the Oversight Committee.

15 (b) Any application for funds shall be submitted and
16 signed by the technology coordinator, the superintendent, and
17 the chief school financial officer of the local school system.
18 The application shall include a component for the professional
19 development of teachers.

20 (c) Implementation plan: School systems shall apply
21 for their portion of the Alabama Ahead Act funding through the
22 State Department of Education. Applications for funding shall
23 include all of the following:

24 a. Technology plan: An approved technology plan as
25 required of all school systems as part of the Foundation
26 Program.

1 b. Infrastructure readiness report: School systems
2 shall provide an infrastructure readiness report describing
3 each school's WLAN as well as the systems used to manage these
4 networks.

5 c.1. Accountability in the use of funds: At least
6 every six months until the project is complete, the State
7 Department of Education shall provide a report to the
8 Oversight Committee detailing the progress of local school
9 systems in meeting the 24-month goal of a statewide
10 implementation.

11 2. The State Department of Education shall include
12 WLAN infrastructure functionality in its monitoring standards
13 as part of the ongoing accountability of this investment.

14 Section 3. Section 14 of Act 2012-560, 2012 Regular
15 Session, is amended to read as follows:

16 "Section 14. This act shall become effective on the
17 first day of the ~~third~~ second month following its passage and
18 approval by the Governor, or its otherwise becoming law.
19 Sections 2 to 12, inclusive, shall be implemented only upon
20 separate legislative enactment providing a specific date for
21 implementation."

22 Section 4. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.