

CHAPTER 528

(Senate Bill 235)

AN ACT concerning

Education – MDK12 Digital Library

FOR the purpose of establishing the MDK12 Digital Library in the State Department of Education; establishing certain legislative findings; establishing the purpose of the MDK12 Digital Library; establishing a steering committee within the MDK12 Digital Library; establishing the membership of the steering committee; establishing certain duties of the steering committee; establishing the membership of the MDK12 Digital Library, subject to certain limitations; establishing certain limitations to the membership of the MDK12 Digital Library; requiring certain individuals to perform certain duties; authorizing the MDK12 Digital Library to develop certain additional programs that support all residents of Maryland; requiring the Department to employ a certain position; requiring a certain report to be submitted by a certain date to the Department; defining a certain term; and generally relating to the MDK12 Digital Library.

BY adding to

Article – Education

Section 7–9A–01 through 7–9A–05 to be under the new subtitle “Subtitle 9A.
MDK12 Digital Library”

Annotated Code of Maryland
(2008 Replacement Volume)

Preamble

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

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

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

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

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

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

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

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

Article - Education

SUBTITLE 9A. MDK12 DIGITAL LIBRARY.

7-9A-01.

IN THIS SUBTITLE, "DIGITAL CONTENT" MEANS ANY ONLINE INFORMATION SUBSCRIPTION DATABASE AND ELECTRONIC RESOURCE APPLICABLE TO THE MARYLAND PREK-12 CURRICULUM.

7-9A-02.

THE GENERAL ASSEMBLY FINDS THAT:

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

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

(3) PROVIDING EQUITABLE ACCESS TO DIGITAL CONTENT FOR THE STATE'S STUDENTS AND EDUCATORS HELPS TO PREPARE STUDENTS TO

PURSUE HIGH-LEVEL CAREERS IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS FOR THE GOOD OF THE STATE AND THE NATION;

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

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

7-9A-03.

THERE IS A MDK12 DIGITAL LIBRARY IN THE DEPARTMENT.

7-9A-04.

THE PURPOSES OF THE MDK12 DIGITAL LIBRARY ARE TO:

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

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

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

(4) SUPPORT EFFECTIVE TEACHING AND LEARNING BY CONNECTING DIGITAL CONTENT WITH THE MARYLAND CONTENT STANDARDS, WORKFORCE DEVELOPMENT, AND SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INITIATIVES.

7-9A-05.

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

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

- 1. ONE REPRESENTATIVE FROM EACH MEMBER LOCAL SCHOOL SYSTEM;**
 - 2. ONE REPRESENTATIVE FROM THE DEPARTMENT;**
- AND**
- 3. ONE INDIVIDUAL SELECTED BY MEMBER PRIVATE NONPROFIT SCHOOLS TO REPRESENT ALL MEMBER PRIVATE NONPROFIT SCHOOLS.**

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

(III) THE STEERING COMMITTEE SHALL:

- 1. ESTABLISH CRITERIA TO EVALUATE AND SELECT DIGITAL CONTENT;**
- 2. MAKE A GOOD FAITH ESTIMATE OF THE DIGITAL CONTENT THAT THEY INTEND TO PURCHASE UNDER EACH BID AND PROVIDE THE ESTIMATE TO THE DEPARTMENT BY THE DATE REQUESTED;**
- 3. COLLECT AND ANALYZE USAGE DATA TO REPORT ON PROGRAM EFFECTIVENESS AND DETERMINE PROFESSIONAL DEVELOPMENT REQUIREMENTS;**
- 4. REQUEST AND AWARD BIDS FOR THE PURCHASE AND DISTRIBUTION OF DIGITAL CONTENT TO ACQUIRE BETTER PRICING THROUGH VOLUME PURCHASES; AND**
- 5. IDENTIFY VENDORS OF DIGITAL CONTENT.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 19, 2009.