

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: All Councilmembers

FROM: Chairman Phil Mendelson
Committee of the Whole

DATE: July 13, 2022

SUBJECT: Report on Bill 24-77, “DCPS Digital Equity Act of 2022”

The Committee of the Whole, to which Bill 24-77, “DCPS Digital Equity Act of 2022” was referred, reports favorably thereon with technical amendments, and recommends approval by the Council.

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I. BACKGROUND AND NEED

The fallout from the COVID-19 pandemic has made it impossible to ignore the nation’s digital divide, which has exacerbated deep inequities in every community across the United States. For many school districts across the country, reliance on remote (mostly digital) instruction has continued into the fall. But remote learning requires digital technologies—access to broadband internet and one-to-one (1:1) computer devices - that an estimated 13.5 million school-age children (ages 5-17) lack. This digital divide threatens to widen pre-existing inequities and the opportunity to learn; putting the nation’s most underserved school-aged children at risk.¹

On February 16, 2021, Bill 24-77, the “District of Columbia Technology Equity Act of 2021” was introduced by Councilmembers Lewis George, Silverman, Gray, Bonds, R. White, Nadeau, Allen, Henderson, and Cheh and referred to the Committee of the Whole. The legislation the Chancellor of DC Public Schools (DCPS) to create and submit a Comprehensive Student Technology Equity Plan to the Council. The Plan aims to create a vision, goals, and strategy to ensure DCPS students have sufficient technology, digital literacy, robust IT support, and access to the internet to support in-school

¹ NEA Report – Digital Equity for Students and Educators. Public Policy Associate, Incorporated. September 2020.

and assigned out-of-school learning. The bill also requires the Plan to create a system to manage the devices and software used by students and teachers across schools and grade levels.

To develop the Plan, the bill makes clear that the Chancellor must be inclusive of many voices and experiences, including both DCPS and external education technology experts (including but not limited to the District’s Chief Technology Officer), must prioritize engaging with DCPS parents and teachers, among other stakeholders, and create and involve an advisory committee made up of DCPS and external individuals. The legislation also requires the Chancellor to develop the Plan utilizing a process that includes internal and external experts and prioritizes stakeholder engagement at all levels.

Technology equity seems to remain an issue in the Districts’ schools. At the public hearing on the Bill on November 5, 2021, the Committee heard from school leaders and school staff that many schools have not yet achieved the 1:1 device-to-student ratio, despite DCPS reporting the goal of the Empowered Learners Initiative (ELi) had been achieved and all students in grades 3-12 have equitable access to technology. Many DCPS schools started the 2021-22 school year without adequate devices and classroom technology or with broken or ineffective smart boards and other classroom technology. The persistence of the pandemic poses additional challenges, as students who are more likely to have a parent who can be at home having more access than those that cannot. Many educators across the country also lack sufficient digital technologies, which limits their ability to reach their students. The Plan developed by DCPS in Bill 24-77 will be required to address how DCPS will meet any additional technology needs for schools that have a large number of “at-risk” students and schools located in areas with weak internet access. Under-resourced school-aged children are much less likely to have access to either broadband internet or a computer device other than a smartphone. Other inequalities include students: living in rural areas; in under-resourced households (below the federal poverty threshold); in homes that rent; and whose parents lack a high school diploma or GED.

The Committee has made technical amendments to the Bill and recommends Council adoption of the Committee print for Bill 24-77.

II. LEGISLATIVE CHRONOLOGY

February 16, 2021	Bill 24-77, the “District of Columbia Public Schools Technology Equity Act of 2021” is introduced by Councilmembers Lewis George, Silverman, Gray, Bonds, R. White, Nadeau, Allen, Henderson, and Cheh.
February 26, 2021	Notice of Intent to Act on Bill 24-77 is published in the <i>Register</i> .
March 2, 2021	Bill 24-77 is referred to the Committee of the Whole.
October 12, 2021	Notice of Public Hearing on Bill 24-77 is filed in the Office of the Secretary.
October 15, 2021	Notice of Public Hearing on Bill 24-77 is published in the <i>Register</i> .
November 5, 2021	A Public Hearing is held on Bill 24-77 by the Committee of the Whole.
July 12, 2022	Bill 24-77 is marked up by the Committee of the Whole.

III. POSITION OF THE EXECUTIVE

Dr. Amy Maisterra, Deputy Chancellor of the District of Columbia Public Schools, testified on behalf of the Executive in support of Bill 24-77, “DCPS Digital Equity Act of 2022” but request flexibility to develop the plan in alignment with work already underway. Her testimony is summarized below.

Dr. Lindsey Parker, Assistant City Administrator and Chief Technology Officer, testified on behalf of the Executive in support of Bill 24-77, “Digital Equity Act of 2022”, and requests that the agencies involved continue to work together on the many components of the bill and technology equity implementation.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The committee received no comments from Advisory Neighborhood Commissions on Bill 24-158.

V. SUMMARY OF TESTIMONY

The Committee of the Whole held a joint public hearing on Bill 24-77 on November 5, 2021. The testimony summarized below is from that hearing.

Dr. Amy Maisterra, Government Witness testified on behalf of the Executive in support of Bill 24-77, “DCPS Digital Equity Act of 2022” but request flexibility to develop the plan in alignment with work already underway. The Deputy Chancellor noted that much of the work described in the bill is underway by DCPS.

Dr. Lindsey Parker, Assistant City Administrator and Chief Technology Officer, testified on behalf of the Executive in support of Bill 24-77, “Digital Equity Act of 2022”, and requests that the agencies involved continue to work together on the many components of the bill and technology equity implementation.

Grace Hu, Parent Co-Lead, Digital Equity in DC Education testified in support of the “DCPS Technology Equity Act of 2021”.

Melody Molinoff, Parent Co-Lead, Digital Equity in DC Education testified in support of the “DCPS Technology Equity Act of 2021”

Regina Bell, Vice President, WTU, testified in support of the “DCPS Technology Equity Act of 2021”.

Alexandra Simbana, Public Witness, testified in support of the “DCPS Technology Equity Act of 2021”.

Stephen Varhall Teacher, DCPS, testified in support of the “DCPS Technology Equity Act of 2021”.

Holland Keerikatte, Public Witness, testified in support of the “DCPS Technology Equity Act of 2021”.

Yizel Romero Parent Leader in Education Board Member, PAVE, testified in support of the “DCPS Technology Equity Act of 2021”.

Kent Withycombe Washington Lawyers' Committee for Civil Rights and Urban Affairs, testified in support of the “DCPS Technology Equity Act of 2021”.

The Committee received no comments in opposition to Bill 24-77.

VI. IMPACT ON EXISTING LAW

Bill 24-77 has no impact on existing law. It is a new requirement.

VII. FISCAL IMPACT

Bill 24-77 is fully funded in the FY23 Budget and Financial Plan.

VIII. SECTION-BY-SECTION ANALYSIS

<u>Section 1</u>	States the short title of Bill 24-77.
<u>Section 2</u>	Describes the components of the Comprehensive Student Technology Equity Plan
<u>Section 3</u>	Requires DCPS to submit the plan in advance of the final submission date for feedback from the Council, and requires the Auditor to conduct an annual review of the Comprehensive Student Technology Equity Plan
<u>Section 4</u>	Fiscal Impact Statement
<u>Section 5</u>	Establishes the effective date by stating the standard 30-day Congressional review language.

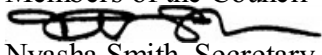
IX. COMMITTEE ACTION

X. ATTACHMENTS

1. Bill 24-77 as introduced
2. Written Testimony and Letters
3. Racial Equity Impact Assessment
4. Fiscal Impact Statement for Bill 24-77
5. Legal Sufficiency Determination for Bill 24-77
6. Committee Print for Bill 24-77

COUNCIL OF THE DISTRICT OF COLUMBIA
1350 Pennsylvania Avenue, N.W.
Washington D.C. 20004

Memorandum

To : Members of the Council
From :  Nyasha Smith, Secretary to the Council
Date : Monday, February 22, 2021
Subject : Referral of Proposed Legislation

Notice is given that the attached proposed legislation was introduced in the Office of the Secretary on Tuesday, February 16, 2021. Copies are available in Room 10, the Legislative Services Division.

TITLE: "District of Columbia Public Schools Technology Equity Act of 2021", B24-0077

INTRODUCED BY: Councilmembers Lewis George, Gray, Cheh, Silverman, Allen, Nadeau, Henderson, R. White, and Bonds

The Chairman is referring this legislation to Committee of the Whole.

Attachment
cc: General Counsel
Budget Director
Legislative Services

1 

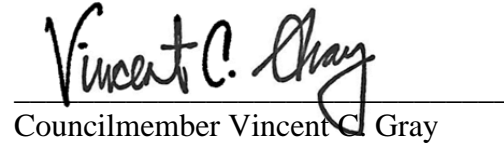
2
3 Councilmember Charles Allen



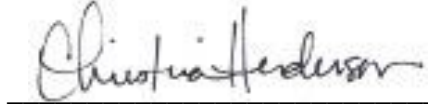
Councilmember Janeese Lewis George

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7 Councilmember Brianne K. Nadeau



Councilmember Vincent C. Gray

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11 Councilmember Christina Henderson



Councilmember Mary M. Cheh

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15 Councilmember Robert C. White, Jr.



Councilmember Elissa Silverman

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19 Councilmember Anita Bonds

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22 A BILL

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25 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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28 To require the development of a comprehensive, multi-year technology plan for the District of
29 Columbia Public Schools to support quality, equitable education that ensures one-to-one
30 student and teacher device ratios; practical digital literacy training; robust remote and in-
31 school IT support and maintenance; improved technology infrastructure; and sufficient
32 Internet access for all to support learning in schools and at home.

33
34 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
35 act may be cited as the "District of Columbia Public Schools Technology Equity Act of 2021".

36
37 Sec. 2. Technology equity steering committee.

38 (a) Every 3 years District of Columbia Public Schools ("DCPS") shall convene a steering
39 committee to monitor, advise, and ensure DCPS successfully develops and publishes a
40 Comprehensive Technology Equity Plan that will serve as a blueprint for DCPS.

41 (b) The steering committee shall consist of the following:

42 (1) The Chancellor of District of Columbia Public Schools or their designees;

43 (2) The District of Columbia's Chief Technology Officer or their designees;

44 (3) Educational stakeholders including DCPS parents, teachers, students,
45 administrators, and representatives of Ward-based education council organizations; and

46 (4) Educational technology experts.

47 (c) The steering committee shall appoint such subcommittees as it deems appropriate.

48 Sec. 3. Duties.

49 (a) The technology equity steering committee (“steering committee”) shall convene at
50 least twice annually to monitor, advise, and ensure District of Columbia Public Schools
51 (“DCPS”) produces an updated technology plan every 3 years that includes:

52 (1) A competitive analysis of what other school systems are doing to meet the
53 educational technology needs of students, staff, and faculty;

54 (2) A needs assessment of each DCPS school’s technology, to include an analysis
55 of the following:

56 (A) Number and type of computers available in each school, including
57 computers for teacher use;

58 (B) Number and type of tablets or other equipment available in each
59 school;

60 (C) Mechanisms and staffing for asset management at the school level;

61 (D) The quality of broadband access and bandwidth capacity to ensure
62 secure, sufficient internet access in the school building;

63 (E) Last technological infrastructure upgrade for each school, including
64 network hardware and systems needed to support wireless connectivity;

65 (F) Any school-wide technology related policies and projects;

66 (G) The effectiveness and responsiveness of information technology
67 support provided to the school for repairing and maintaining technology;

68 (H) Gaps in digital literacy skills (compared to grade-level standards as
69 established by experts), including fluency with and access to, both in and out of school,
70 computers, tablets, other equipment, internet access, the Student Information System, and other
71 relevant applications; and

72 (I) The effectiveness and relevance of professional development
73 opportunities that are available to teachers and staff to best use available technology;

74 (b) DCPS shall hold at least 2 public meetings and a public comment period to collect
75 input as part of the needs assessment compiled pursuant to subsection (a)(2) of this section.

76 (c) DCPS shall submit a final Comprehensive Technology Equity Plan, described in
77 section 4, to the District of Columbia Council within 2 years of the effective date of this act and
78 every 3 years thereafter.

79 Sec. 4. Comprehensive Technology Equity Plan.

80 At a minimum, the Comprehensive Technology Equity Plan shall include:

81 (1) A vision and goals for educational technology in District of Columbia Public
82 schools;

83 (2) A summary of the findings of the needs assessment mandated pursuant to
84 section 3(a)(2) and how District of Columbia Public Schools plans to address gaps identified by
85 the needs assessment;

86 (3) The schedule and framework for refreshing technology for all schools, in
87 order to maintain one-to-one student and teacher device ratios for the school system and updated
88 classroom technology in all schools;

89 (4) A plan to close the gaps in digital literacy skills, including fluency with and
90 access to computers, tablets, other equipment, internet access, the Student Information System,
91 and other relevant applications identified in the needs assessment completed pursuant to section
92 3(a)(2);

93 (5) A delineation of District government agency roles and responsibilities related
94 to supporting school technology and Internet access;

95 (6) A detailed cost estimate associated with the plan, broken out by school and
96 program; and

97 (7) Identification of planned funding sources.

98 Sec. 5. Fiscal impact statement.

99 The Council adopts the fiscal impact statement in the committee report as the fiscal
100 impact statement required by section 4aofthe General Legislative Procedures Act of 1975,
101 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code§ 1-301.47a).

102 Sec. 6. Effective date.

103 This act shall take effect following approval by the Mayor (or in the event of veto by the
104 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
105 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
106 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
107 Columbia Register.

8 A BILL
9

10
11 24-77
12

13
14 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
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16 _____

17 To require the development and submission of a comprehensive, multi-year student technology
18 plan for the District of Columbia Public Schools and annual updates.
19

20 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
21 act may be cited as the “DCPS Digital Equity Act of 2022”.

22 Sec. 2. Comprehensive Student Technology Equity Plan.

23 (a) The Chancellor of the District of Columbia Public Schools (“DCPS”) shall develop
24 and maintain a Comprehensive Student Technology Equity Plan (“Plan”) in accordance with this
25 act.

26 (b) The Plan shall:

27 (1) Articulate DCPS’s vision and goals for ensuring that all DCPS students have:

28 (A) Digital literacy skills and access to technology in and outside the
29 classroom sufficient to support their learning needs;

30 (B) Access to robust IT support; and

31 (C) Sufficient internet access to support in-school and assigned out-of-
32 school learning.

33 (2) Articulate and clearly define the strategies to achieve the vision and goals
34 identified pursuant to paragraph (1) of this subsection during each of the 3 years following the
35 date of submission of the Plan to the Council;

36 (3) Include an assessment of the technology needs of each DCPS school,
37 including, for each school:

38 (A) The number and condition of student and teacher devices and
39 classroom technology;

40 (B) Dedicated resources for technology device and asset management;

41 (C) Quality of the Wi-Fi; and

42 (D) Technology training opportunities for school staff;

43 (4) Include a schedule and framework for refreshing the technology for all
44 schools in order to maintain current (in-lifecycle) devices for teachers and students, classroom
45 technology, and reliable school building internet infrastructure;

46 (5) Create an asset management system to maintain, support, and track the devices
47 and software for students and teachers at each school level (elementary, middle, and high
48 school), including staffing, funding, and training;

49 (6) Include an educational technology professional development plan to provide
50 all teachers with baseline technology skills for instruction;

51 (7) Delineate the responsibilities of DCPS, the Office of the Chief Technology
52 Officer, DC Net, and the Department of General Services in the provision of technology support
53 and services with clear lines of reporting, metrics, and performance standards;

54 (8) Provide multi-year detailed cost estimates for every component of the plan
55 including hardware and software acquisition costs, the costs of service provision, and capital
56 expenses;

57 (9) Include comprehensive privacy impact assessments of any third-party learning
58 applications that schools use or any planned expansion of technology; and

59 (10) Include a section or chapter that explains how the Plan will meet additional
60 technology needs for schools with a large number of at-risk students and schools located in areas
61 with weak internet access.

62 (c) The Chancellor shall submit the Plan to the Mayor and Council no later than March
63 31, 2023. Thereafter, the Plan shall be updated annually in coordination with the Mayor's
64 proposed budget submission to Council, and always with a 3 year horizon.

65 (d) In developing the Plan, the Chancellor shall utilize a process that:

66 (1) Includes both internal (DCPS) and external education technology experts,
67 including, but not limited to the District's Chief Technology Officer;

68 (2) Prioritizes stakeholder engagement, including DCPS parents and DCPS
69 teachers; and

70 (3) Includes an advisory committee comprised of internal (DCPS) and external
71 individuals.

72 (e) In developing the Plan, as well as the annual updates, the Chancellor shall submit a
73 draft plan to the Council for review and comment no less than 2 months in advance of the final
74 submission date.

75 (e) The Auditor will conduct an annual review of the Plan to determine whether it is
76 financially sound and will adequately accomplish the requirements and goals of the Plan.

77 Sec. 4. Fiscal impact statement.

78 The Council adopts the fiscal impact statement in the committee report as the fiscal
79 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
80 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code§ 1-301.47a).

81 Sec. 5. Effective date.

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