

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill No:** HB 434

**48th Legislature, 2nd Session, 2008**

**Short Title:** Educational Tech Deficiency Correction Fund

**Sponsor(s):** Representatives Rick Miera and Thomas E. Swisstack

**Analyst:** Peter van Moorsel

**Date:** January 31, 2008

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**Bill Summary:**

HB 434 appropriates funds to the Educational Technology Deficiency Correction Fund to make allocations to correct serious deficiencies in educational technology infrastructure pursuant to the *Technology for Education Act*.

**Fiscal Impact:**

\$9.0 million is appropriated from the General Fund to the Educational Technology Deficiency Correction Fund for FY 09 and subsequent fiscal years.

Since FY 07, approximately \$5.8 million has been appropriated to the Public Education Department (PED) to correct educational technology deficiencies, including approximately \$4.3 million appropriated to the Educational Technology Deficiency Correction Fund for FY 08. PED allocated these funds to 14 districts, of which eight districts now meet the educational technology adequacy standards.

During the 2007 interim, the LESC recommended \$9.0 million for the Educational Technology Deficiency Correction Fund as part of its funding recommendations for FY 09 and subsequent fiscal years.

**Issues:**

During the 2005 legislative session, the Educational Technology Deficiency Correction Fund was created in statute, and the *Technology for Education Act* was amended to require the Educational Technology Bureau to establish infrastructure standards for educational technology in schools. As a result, the Council on Technology in Education (CTE) developed the Adequacy Standards for Educational Technology and Minimum Infrastructure Standards, which stipulate minimum standards for six categories: network connectivity, computers and network devices, software, staff literacy, staffing levels, and telephone/communications.

The law requires that school districts use these standards to complete a self-assessment of the outstanding educational technology deficiencies within the school district and provide cost projections to correct the outstanding deficiencies. Based on these self-assessments, PED reports that as of 2006, the cost to bring all New Mexico School districts to adequacy would total approximately \$94.0 million.

In 2007, the *Technology for Education Act* was amended to improve accountability by requiring that no allocation is to be made from the Educational Technology Deficiency Correction Fund unless:

- The CTE approves the methodology used by the Education Technology Bureau at PED to prioritize projects to correct deficiencies;
- CTE approves distributions from the Educational Technology Deficiency Correction Fund;
- a school consults with the Public School Facilities Authority prior to installing any educational technology infrastructure; and
- for 2009 and subsequent years, an independent third party verifies the initial school district self-assessment of the outstanding educational technology deficiencies within a school district.

The amendments to the *Technology for Education Act* also required the Education Technology Bureau to:

- base allocations for the replacement of functionally obsolete computers and network devices in public schools on a ratio of one computer to three students in each school;
- compile and maintain an inventory of computer and network devices in public schools, including charter schools; and
- develop a methodology for prioritizing the replacement of computers and network devices to ensure that the state money is expended in the most prudent manner possible.

### **Background:**

CS/HB 2, *General Appropriation Act of 2008*, includes \$6.0 million for the Educational Technology Fund, and since its creation, approximately \$64.8 million has been appropriated to the fund.

Money from the Educational Technology Fund is distributed on a per-membership basis to all school districts in the state. School districts may use these funds to purchase educational technology, which is defined in law as tools used in the educational process that constitute learning resources. Educational technology includes closed circuit television systems, educational television and radio broadcasting, cable television, satellite, copper and fiber optic transmission, computer, video and audio laser and compact discs, video and audio tapes or other technologies, and the training, maintenance, equipment and computer infrastructure information, techniques and tools, used to implement technology in classrooms and library and media centers.

The *Technology for Education Act* stipulates that school districts must develop a plan for the integration of educational technology into the public schools and coordinate technology-related education activities with other state agencies, the federal government, business consortia and public or private agencies or individuals. According to the act, “upon annual review and approval of a school district’s educational technology plan, the bureau shall determine a separate distribution from the educational technology fund for each school district.”

### **Related Bills:**

None