



MODEL POLICY

Digital Devices for All Act

ExcelinEd Policy Toolkit - 2021

This document contains model policy for the Digital Devices for All Act.

SUMMARY

To support the development of innovative 1:1 device access policy, ExcelinEd has developed a model policy to support access to digital devices for all students through a state's curriculum adoption process. By allowing districts to use categorical funds (like textbook funds) to purchase devices for students, states can provide them with new flexibility to meet reasonable expectations."

If a state were to adopt this policy, districts could do the following and more:

- Ensure every student is connected to an internet-enabled, digital distance learning device¹ for use at school, and at home;
- Determine priority for a device, specific to a student's need (e.g., need could be determined based on a combination of factors, including a student's socioeconomic status, geographic needs and/or alternative learning needs) for connectivity, devices and related services (such as device insurance).

MODEL POLICY - DIGITAL DEVICES FOR ALL ACT

I. Short Title

This act shall be known and may be cited as the "Digital Devices for All Act," (the "Act").

II. Legislative Purpose

The purpose of this act is to:

- a. Ensure that every public school student in the state has access to the tools they need for learning;
- b. Provide school districts and charter schools with increased flexibility to meet students' learning needs; and
- c. Remove any impediments to the expansion of digital learning or virtual instruction environment opportunities.

III. Definitions

- a. "Digital device" shall be defined as an internet-enabled device such as a laptop, tablet, or computer the student can use to complete schoolwork at home², which is capable of connecting to the wireless technology infrastructure and internet access points throughout locations in the districts' or charter schools' classrooms.
- b. "Digital learning or virtual instruction environment" shall be defined as:
 - 1) Access to quality digital learning content and/or online blended learning courses;
 - 2) Tailored digital content designed to meet the needs of each student; and
 - 3) Digital learning content that meets or exceeds the state's standards and requirements adopted by the State Board of Education.

¹ Device is defined as: a "desktop computer, laptop, or tablet." Students with a cell or mobile phone are not considered to have an adequate distance learning device. *Closing the K-12 Divide in the Age of Distance Learning*. Common Sense + BCG.

² A digital device does not include a mobile phone or smart phone. An adequate, internet-enabled device sufficient to complete schoolwork would include a laptop, tablet, or computer, as defined by leading [researchers](#) in 2020.



- c. “Textbook” shall be defined as any medium or manual of instruction, printed or electronic, which contains a systematic presentation of the principles of a subject and which constitutes a major instructional vehicle for that subject.
- d. “Categorical funding” shall be defined as funding allocated for specific purposes.
- e. “School district” shall be defined as a local education agency or a public charter school.
- f. “Local education agency” shall be defined as a local board of education, combination of school districts, other legally constituted local school authority having administrative control and direction of free public education within the state, or other entities as designated by the Board, and includes any entity with state-wide responsibility for directly operating and maintaining facilities for providing public education.
- g. “Fully-equipped” shall be defined as a device that is capable of being used by a student for instructional purposes immediately after receiving it and can likely be used for the duration of the school year.

IV. Digital Devices for All Act

- a. Beginning with the 2021 - 2022 school year, each school district shall provide each enrolled student with an assigned digital device for the purpose of accessing and performing all coursework assignments, to support a digital learning or virtual instruction environment.
- b. Each device shall be installed with the necessary instructional materials, which have been adopted by the school district as components of its curriculum standards, and for which licensure agreements have been purchased from the publishers for use of the published curriculum and instruction materials.
- c. The school district shall not prohibit use of the digital device for at-home use or related purposes.
- d. Each school district can adopt rules for safety, maintenance and sustenance of the device.

V. Device Procurement by SEA

- a. The State Education Agency working in conjunction with the school district can develop a Request for Information to determine the digital devices and device-related services to be procured from both in-state and out-of-state providers in accordance with rules and regulations promulgated by the State Board of Education or other entities as appropriate.
- b. To purchase digital devices, a school district may use any funds that are available for the purchase of textbooks or instructional materials or any funds not otherwise prohibited by law for such purchase.
- c. The school district must be recognized as a public school and provide equitable treatment and resources as are other public schools in the state.
- d. The State Education Agency may adopt rules to support renewal, insurance and other, related services associated with the device.
- e. The Board or agency may adopt rules to support renewal of the device.

VI. Annual Report of Compliance

- a. Each State Education Agency shall submit an annual report of their compliance with this Act no later than July 1, 2022 and every July 1 thereafter.