



STATEWIDE CONTRACT AGREEMENTS TO SUPPORT DIGITAL DEVICES AND RESOURCES

ExcelinEd Policy Toolkit - 2023

INTRODUCTION: STATE DIGITAL PROCUREMENT

Access to technology and devices is necessary to deliver high-quality learning experiences. Schools and students that don't have access are at a disadvantage. But giving all students access isn't as easy as it seems. Competing budgetary priorities, uncertainty about the most effective products and services and other constraints make it difficult for districts to provide students with all they need. Ideally, districts would be able to conduct comprehensive evaluations of vendors that offer online courses and curricula or digital devices and broadband. However, those appraisals demand both time and specialized expertise. Too often, district leaders lack the capacity to thoroughly assess available options.

Statewide contract agreements provide one solution. These agreements provide districts and other eligible entities, such as charter schools, regional consortia, or education cooperatives, with options to acquire cost-effective digital resources that have been vetted by the state and meet set requirements and pricing. This policy brief offers a rationale for implementing state contract agreements in the procurement of digital tools and services. It also highlights states that have established such agreements to meet instructional and infrastructure needs.

Benefits of Statewide Contract Agreements

Statewide contract agreements for digital educational resources offer numerous advantages.

1. **Cost Savings.** These agreements allow schools and districts to purchase educational devices and services at a discounted or bundled rate, which can significantly reduce costs. This enables schools to maximize their resources.
2. **Streamlined Procurement Process.** State-level procurement agreements can relieve districts of the individual burden evaluating a multitude of products and services to find the best options for their students. These agreements have already been vetted and negotiated, so districts don't have to go conduct their own procurement process.
3. **Quality Assurance.** These agreements require that vendors meet specific standards and requirements to be eligible for inclusion in the state contract. This means that districts can have confidence in the quality of the products and services they are purchasing.
4. **Enhanced Cybersecurity.** States can include contractual language that mandates vendors to fulfill explicit cybersecurity and student data privacy criteria for their products or services to be eligible for state contract agreements. This language can also serve as a template for contracts between districts and vendors, thereby standardizing cybersecurity and data privacy expectations across the state.

What State Leaders Can Do

State policymakers can lead the charge to create or expand statewide contract agreements for digital learning tools, infrastructure and devices. While procurement processes vary by state, there are overarching principles that can guide development, evaluation and implementation of statewide agreements.

1. Collect feedback from districts and schools about their needs to develop a strong Request for Information (RFI) that accurately describes the requirements for the service or product.
2. After conducting the RFI process and developing state master contracts, share the procurement options and instructions on how to purchase through them with districts and other eligible entities.
3. As needs change and technology evolves, revise or conduct new RFIs to continue to provide up-to-date technology for students.

STATE PROCUREMENT SPOTLIGHTS

States have implemented procurement solutions for educational technology needs ranging from digital instructional materials and online course platforms to the basic infrastructure requirements that support the implementation of resources. State-level review processes and contract agreements can benefit schools and districts by ensuring quality, compatibility across systems and cost-effectiveness.

Learning Management Systems (LMS)

LMSs provide a centralized platform for managing coursework, communication and assessment. Districts have been using LMSs for well over a decade, and some states support districts in deciding which LMS to use and in purchasing subscriptions. By establishing statewide contract agreements, states can leverage their collective purchasing power, negotiate favorable terms and ensure consistent quality and compatibility across schools and districts. Additionally, the state RFI can require that LMS platforms are interoperable with state data systems and build in requirements related to data privacy and cybersecurity.

States offer examples of different purchasing models of LMSs:

- In 2020, **South Carolina** collaborated with district leaders to identify the most common LMSs in use in the state. The department of education then worked with state procurement services to establish [optional state contracts](#) for four in-demand LMSs.
- **Nebraska** provides a [statewide contract](#) for Canvas that is optional for districts. It includes the Canvas software as well as on-demand access to training for staff and a help desk system for a cost of \$3 per user (student or staff member).

Digital Curricular Materials and Online Courses

States have played a role in textbook review and adoption for decades. Now that more curricular materials are digital, like digital-first textbooks and fully online courses, states can still play an important role in vetting the available options and providing districts with negotiated rates.

State-level reviews of digital curricula typically check whether the content is aligned to state standards and is free from errors or bias. States that review online courses also examine the quality and rigor of the instruction. And all digital content should come with accessibility features for students with disabilities and suggestions for teachers on differentiating instruction using the materials.

States that have robust processes for reviewing, approving, and contracting with digital curriculum or online course providers include:

- **Missouri**, where the Missouri Course Access and Virtual School Program (MOCAP) provides a state approval process for online course vendors to be included in a state contract. The [approval process](#) ensures that courses align with Missouri standards, have qualified instructors, and abide by state rules and regulations. Through MOCAP, the state expands the range of courses available to students, especially those in need of accelerated or remedial courses or unique courses not offered in their district.
- **Louisiana**, which requires digital instructional materials vendors with online content to meet certain [assurances](#), such as operability with commonly used LMSs and accessibility for students with disabilities. This state-level review allows districts to adopt state-vetted digital materials best suited to their local context.
- **Utah**, which provides [consortium software licensing](#) at the best possible rates for schools and libraries. The state conducts a stringent review process before adding software to the license, and offers tools that support math instruction, research, plagiarism detection, an LMS and more.

Laptops, Tablets and Other Digital Devices

Since March 2020, federal pandemic relief funds have assisted many states and districts in purchasing additional laptops, tablets, Wi-Fi hotspots and other key technological infrastructure. However, those funds are set to expire in 2024, and education leaders will face choices about how to continue funding these resources. In addition, devices and other equipment must be replaced or refurbished on a regular basis. Statewide contract agreements can negotiate the best possible deal for districts through the state's bulk purchasing power.

Examples of state contracts for digital devices include:

- **Texas**, which worked with its Operation Connectivity Task Force to establish statewide contract agreements for broadband and devices. By negotiating competitive pricing on behalf of districts, the statewide procurement effort resulted in a 40-50 percent cost savings in devices and connectivity for districts and students. ExcelinEd profiled the Lone Star State's efforts in-depth in [this policy brief](#).
- **Maine**, where the state provides an annual allocation for districts to purchase digital devices. The funds must be used on state-approved devices such as laptops and tablets, which are listed along with their price and the support services that come with them on a state [website](#).

Broadband Infrastructure

School districts have access to federal E-Rate funds to subsidize school-level broadband access. Statewide contract agreements can help these funds go further by coordinating broadband procurement on a larger scale. Collaboration with internet service providers (ISPs) and state broadband office leaders can streamline the procurement process, leverage industry expertise and address challenges that rural or low-income districts can face in providing reliable, fast connectivity.

Several states have found ways to support their districts through state-level procurement options for broadband:

- The **Tennessee Education Broadband Consortium** provides districts with a suite of resources to conduct "mini-bids," or expedited contracts with ISPs that have been pre-reviewed by the state.
- In **Ohio's 2021 RFI**, 49 ISPs responded with submissions. This volume enabled the state to develop a comprehensive price list of services and speeds available to districts.

FURTHER RESOURCES

- [Competitive State Procurement for Digital Educational Resources Act](#). (2023). ExcelinEd.
- [Achieving K-12 Broadband Goals Using a State RFI](#). (2021). ExcelinEd.
- [Cost-Effective Strategies to Close the Digital Divide at School](#). (2022). ExcelinEd.
- [State Cybersecurity Best Practices: Procurement Practices](#). (2022). State Education Technology Directors Association (SETDA).