

**Testimony of the Washington Lawyers' Committee for Civil Rights and Urban Affairs
Bill 24-77: District of Columbia Public Schools Technology Equity Act of 2021**

**Hearing of the Committee of the Whole of the Council of the District of Columbia
November 5, 2021**

The Washington Lawyers' Committee for Civil Rights and Urban Affairs urges the Council to take bold steps to create digital equity for young people attending DCPS public schools. The legacy of a segregated and unequal education system is still the reality for many parents and students today. Black and Latino students are more likely to attend schools that are under-resourced and outdated. DCPS neighborhood schools of right in historically disinvested areas are more likely to struggle to provide enough digital devices, classroom technology resources, better broadband internet access at school and in homes, and technology training for students, teachers, staff and parents.

One of the keys to creating greater equity in education is to further close the digital divide at schools and in homes, including the provision of devices, access to broadband, and ensuring students, teachers, staff and families receive technology training. The Committee supports the DCPS Technology Equity Act of 2021, as it requires the development of a comprehensive, multi-year plan for DCPS to support quality, equitable education that ensures 1:1 student and teacher devices ratios, practical digital literacy training, robust IT support and maintenance, improved technology infrastructure, and sufficient internet access to support learning at schools.

DC Must Close the Digital Equity Gaps Between Students at Schools and at Home

The digital divide continues to disproportionately impact students of color, those in poverty and students with disabilities.¹ Just before the pandemic started, approximately one in every eight District residents did not have access to a computer or tablet in their household, and 24 percent of children in D.C. lacked access to broadband internet. This share was higher in Wards 7 and 8, where 37 percent of children lacked access.² In particular, 5,122 students experienced homelessness, continuing into the 2020-2021 school year, which complicated distance learning, as these students were less likely to have reliable access to internet.³

¹ National Education Association, *Digital Equity for Students and Educators*, September 2020, [NEA Report - Digital Equity for Students and Educators_0.pdf](#); K-12 Dive, *Rubric for Recovery*, [Rubric for Recovery: Tightening budgets, litigation add to pandemic special ed pressures | K-12 Dive \(k12dive.com\)](#); See series of four articles in [Decoding the Divide: The struggle to make 21st century learning equitable for all students | K-12 Dive \(k12dive.com\)](#)

² D.C. Policy Center, *State of Schools Report for the 2019-2020 School Year* Distance Learning in the Spring of 2020 at 16, [State of D.C. Schools, 2019-20 - D.C. Policy Center \(dcpolicycenter.org\)](#); U.S. Census Bureau, 2019, American Community Survey Public Use Microdata, 2014-2018, available at: <https://www.census.gov/programs-surveys/acs/microdata.html>

³ Id. at 7; See Office of the State Superintendent for Education (OSSE). 2020. "FY19 Performance Oversight Questions." Available at: <https://osse.dc.gov/page/fy19-performance-oversight-questions>

The digital divide in DC strongly correlates with inadequate income. Overall, 18.5% households in DC still lack high-speed home Internet, but over 40% of households with annual income below \$25,000 lack high-speed home Internet. Wards 7 and 8 have significantly lower percentages of high-speed Internet home adoption compared to other wards (around 60% compared to over 90% for Wards 2 and 3). 7.8% of households do not have a computer.⁴

Lack of access to devices and high-speed internet prevented students from fully participating in distance learning and doing homework during the pandemic, especially in households with multiple students or with parents also working remotely, where many needed to use internet and devices at the same time. Many students were still using cell phones often for classes and homework during the 2020-2021 school year.⁵

Although DCPS provided some technology, and device procurement and distribution efforts by DCPS improved during the first six months of the pandemic, it was not nearly enough to provide all students with access. The number available and distributed devices⁶ and internet access points to all DC public school students indicate that significant shortfalls for at least hundreds, and perhaps thousands of students likely still exist now.⁷

⁴ Digital Equity in DC Education\About, <https://www.digitalequitydced.com/about>;
See also *Digital Divide Leaves DC Residents at a Distinct Disadvantage*, WUSA9.com, Sept. 19, 2019, <https://www.wusa9.com/article/news/local/dc/digital-divide-leaves-dc-residents-at-distinct-disadvantage/65-d51ba861-74b7-469f-b3ca-ea893b0ee4f1>; and D.C. Policy Center, *State of the DC Schools Report for the 2019-2020 School Year*: “Approximately one in every eight District residents did not have access to a computer or tablet in their household before the pandemic, and 24 percent of children in D.C. lacked access to broadband internet. This share was higher in Wards 7 and 8, where 37 percent of children lacked access.” [State of D.C. Schools, 2019-20 - D.C. Policy Center \(dcpolicycenter.org\)](https://www.dcpolicycenter.org/state-of-the-dc-schools-2019-2020-report)

⁵ According to the DC Policy Center’s *State of the DC Schools Annual Report for the 2019-2020 School Year* published in March 2021, there are no precise data points to represent the digital divide in the spring of 2020 in D.C. *Id.* The Deputy Mayor for Education’s “Public School Family Engagement Survey Review” presented coverage as of June 2020, but these data points are likely biased as completing the survey required access to a device and internet. See more information

here: <https://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/DME%20Survey%20Deck.pdf>

⁶ At the start of school year 2020-21, a survey of LEAs conducted by the Office of the Deputy Mayor for Education (DME) showed that there were an estimated 74,250 devices ready for distribution to students in the fall of 2020 compared to an estimated 93,987 public school students. Out of these devices, 45,000 of these were available to DCPS students, and by February of 2021, 32,000 devices had been distributed. DC Policy Center, *State of the DC Schools 2019-2020 Report*, Distance Learning in the Spring of 2020, and endnote [li]; Office of the State Superintendent of Education. 2020. “The Bowser Administration Releases Preliminary DC Enrollment Numbers for the 2020- 21 School Year.” Available at: <https://osse.dc.gov/release/bowser-administration-releases-preliminary-dc-enrollment-numbers-2020-21-school-year>

⁷ An estimated 63,390 internet access points were available through the city’s Internet for All, LEA WiFi hotpots, LEA cell-enabled devices, and LEA home broadband packages. These access points do not provide the same quality of internet service most people would expect. Most of the internet access points were available through the city’s Internet for All initiative, and as of February 2021, 9,000 students had agreed to participate in the initiative (with

School communities feel this gap. The Committee coordinates a School Partnership Program, which pairs law firms and businesses with Title 1 DCPS schools. School Partners support the schools financially and with volunteers, mentors, and other programming. From late Spring into the early Fall of 2020, many schools requested that their partners fill the gap left by DCPS. School Partners purchased at wholesale prices and donated more than \$75,000 in laptops, tablets, keyboards, cases and headphones requested for students and classrooms at their partner schools.

DC Needs to Fully Fund and Support a 1:1 Student-Device Ratio, a 1:1 Teacher-Device Ratio, and Vastly Improved Classroom Technology at DCPS

We support Digital Equity in DC Education's repeated demands to District leaders that DCPS still needs to get to a 1:1 student-device ratio and a 1:1 teacher-device ratio, which several other school districts in the region and some charter LEAs in DC supported for the 2020-2021 school year. DCPS is not meeting these benchmarks currently, even after increased investments in the 2020 and 2021 budgets: the current DCPS school budget provided \$13.2 million meant to reach a 1:1 student device ratio for Grades 3-12, but it leaves grades Pre-K to 2 with a 3:1 ratio funded by federal COVID relief funds that are not a permanent solution to this ongoing need.⁸ Moreover, DCPS still is not at the 1:1 student-device ratio yet for grades 3-12. Mentors from our School Partnership program, who work with DCPS report that at some schools, even at the middle and high school level, students do not have their own laptops. Instead, their laptops are on carts for classes to share, because there still are not enough working devices for all students. We have also heard from students and teachers that some schools still have week or erratic broadband access.

Teachers also do not have sufficient instructional technology. During distance learning, many teachers relied on their personal computers, some of which are not optimal for online instructional demands, either because their school could not afford to buy them a computer or because the school-issued computer was not in good working condition. The current DCPS budget allocates \$5.7 million in federal COVID relief funds to ensure that every teacher has an updated, dedicated device. But schools received teacher devices based on the number of teaching staff after accounting for centrally purchased staff devices in fall 2019 and recent modernization purchases, so it was not clear whether there would be enough devices for

25,000 allocated spots). See DC Policy Center State of the Schools Report for 2019-2020, March 16, 2021 at 43-44; See also PAVE DC, September 2020, "PAVE Coffee Chat: Back to School Survey." Available at https://www.dropbox.com/s/108939nqds8pohd/Back%20to%20School%20Survey%20Results_Final.pdf?dl=0.

⁸ Digital Equity in DC Education, <https://twitter.com/DigitalEquityDC/status/1401929107399659525>

teachers until late this fall.⁹ While DCPS may now be close to providing all teachers laptops, some teachers have reported to their School Partners that they did not receive their DCPS laptops this school year until mid- October or later. The comprehensive planning and purchasing required by the DCPS Technology Equity Act will reduce the likelihood that teachers will go so long at the start of the school year without working laptops.

School and classroom level infrastructure is also insufficient. Regarding school infrastructure that includes technology upgrades, the current DCPS budget targets just \$2.45 million in the capital budget, which funded upgrades for just 15 schools. In addition, just 8 other schools are receiving IT infrastructure upgrades. The budget only allocates \$1.5 million to refresh Smartboard/audio-visual technology in classrooms, even though it is likely that many more DCPS schools need similar upgrades.¹⁰ Regarding Smartboards in particular, for example, DCPS admits in the answers that it filed on November 3, 2021 to the Council's questions issued before the hearing for this Bill that they estimate that 3,200 learning spaces are in need of a new interactive board. While DCPS has ordered 545 replacement boards, the rest of the replacements are subject to obtaining additional funding.¹¹

Finally, DCPS must have flexibility and capacity to replace broken devices and handle increases in enrollment midyear. Individual school technology leads recommend that schools have at least 5-10% more devices available than their enrollment population at the start of the school year, so they can issue devices quickly to students who arrive mid-year, as well as to quickly swap out working devices for students and teachers who have broken or malfunctioning devices. Under DCPS's current model, there are not enough devices to handle this need.

DCPS Needs a Sustainable, Comprehensive Technology Plan.

The DCPS Technology Equity Act of 2021 recognizes that DCPS needs to develop a comprehensive, long-range technology plan to address the significant failures of the District to provide consistent access to technology for all students. This plan, especially if modeled after comprehensive school technology plans in cities like Seattle and Atlanta school districts,¹² will provide the basis for ensuring that all students benefits from access to technology.

⁹ Id.

¹⁰ Id.

¹¹ DCPS responses to Chairman Mendelson's Questions ahead of the November 5, 2021 hearing on bill 24-77, the "District of Columbia Public Schools Technology Equity Act of 2021," https://www.dropbox.com/sh/a9c91dqy6nmas9t/AAB6goG-oCpAkjRoUU6a7Yt2a/11.5.21%20DCPS%20Digital%20Equity%20and%20School%20Financial%20Reporting?dl=0&review=DCPS+Pre-Hearing+Quesitons.pdf&subfolder_nav_tracking=1

¹² Seattle Public Schools Tech Plan 2019-2023: https://www.seattleschools.org/UserFiles/Servers/Server_543/File/District/Departments/Technology/Technology

The DCPS Technology Equity Act of 2021 legislation will assist DCPS in developing the plan and will ensure that it is updated and followed.¹³ It will establish a committee of parents, teachers, IT experts and other stakeholders and will require regular surveys of individual schools on technology needs to develop and execute a DCPS Technology Plan. It also requires that the plan be updated every three years. This advance planning should address gaps in student and teacher resources, including improving broadband speed and reliability in schools. The Technology plan will also address the training needs of students, teachers, staff and other school community members; plan for readily available tech support for all users at school and at homes; and improve broadband speeds and infrastructure in schools.¹⁴

The comprehensive plan in the DCPS Technology Equity Act also requires a “delineation of District government agency roles and responsibilities related to supporting school technology and Internet access.”¹⁵ The coordination is needed, especially between DCPS, OCTO, and DGS. Currently, much of the burden for handling technology problems and managing equipment falls on school staff who have demanding full-time jobs and who are not fully trained to provide tech support. Technology solutions should assist teachers, instructional specialists, library/media staff and assistant principals in doing their jobs; it should not be an additional, uncompensated job description for them. A compressive plan will clarify that both OCTO and DGS need to have dedicated teams focused solely on addressing DCPS’ tech hardware, software and broadband needs in a much more rapid and fully responsive manner.

More personnel is one way to ameliorate this issue. The current IT staffing ratio of 1 technician per 857 users is inadequate for daily support and is below industry standards; improving the IT staffing would reduce the burden on school personnel for managing technology. The current DCPS budget provides \$16.7 million for DCPS payment to OCTO for tech services. Prior year payments were in the range of \$10-11 million. This additional funding is intended to provide 85 technicians for in-school tech support, making the new IT staffing ratio 1 technician per 705 users, but the optimum ratio is closer to 1:500.¹⁶

[%20Plan%202019-2023.pdf](#) ; Atlanta Public Schools Technology Plan:
<https://www.atlantapublicschools.us/domain/10194>;

¹³ [B24-0077 - District of Columbia Public Schools Technology Equity Act of 2021 \(dccouncil.us\)](#)

¹⁴ The Council should note that in addition to Seattle and Atlanta, states like California, Illinois and Texas all established Digital Divide task forces in the summer of 2020, so DC has considerable catching up to do. See [State Information Request Digital Divide Task Forces.pdf \(ecs.org\)](#)

¹⁵ Sec. 3. Duties (a)(5), lines 93-94.

¹⁶ See, e.g., Digital Equity in DC Education, January 11, 2021 Letter and attachment to Mayor Bowser, <https://www.digitalequitydced.com/testimony>; *How Much Tech Support is Enough*, There is No Box, Sept. 9, 2015, <https://anotherschwab.com/2015/09/11/how-much-tech-support-is-enough/>

Until DCPS has a funded, multi-year comprehensive tech plan, DCPS will manage its technology in an inequitable, unpredictable, costly, and inefficient manner. A comprehensive technology plan and roadmap for DCPS is needed, and it must be informed by regular engagement with parent and community organizations like Digital Equity in DC Education.

The requirements of the DCPS Technology Equity Act dovetails well with the proposed Internet Equity Amendment Act of 2021, which the Committee supported in testimony earlier in October, as it requires OCTO to develop a Master Internet Plan that includes a timeline and required actions.¹⁷

The pandemic has also taught us that digital equity requires faster and more reliable broadband access and affordability in more DC households, especially those with students, and the need is most acute for low-income households. OCTO's Internet for All program and the FCC Emergency Broadband Benefit program are temporary, so DCPS must work with OCTO and the Deputy Mayor for Education's office on a more long-term Internet solution for the city. In particular, DC must work harder to transition SNAP and TANF households onto more affordable programs, which would likely reduce the need for many of the hotspots and monthly data plans being funded now by DCPS.¹⁸

DCPS Central Administration is Unlikely to Prepare and Execute the Kind of Comprehensive Plan Needed Unless the Council Directs It to Do So.

Contrary to what the DCPS Chancellor stated last May, DCPS's Empowered Learners initiative was not a comprehensive plan. It just focused on in-school student computers for grades 3-12, had a target of sometime in **2022** to get to 1:1 for those students, and it did not constitute a comprehensive plan that outlined expected costs and funding sources as recommended by the

¹⁷ [B24-0200 - Internet Equity Amendment Act of 2021 \(dccouncil.us\)](https://www.dccouncil.us/B24-0200-Internet-Equity-Amendment-Act-of-2021)

¹⁸ Another good example of a structured citywide plan in this respect is Baltimore, as it is implementing extremely affordable 50\5 Mbps broadband in homes that need them for school, work, telehealth access, government services, job searches, training, and other purposes. However, 50\5 Mbps often is barely enough for two people in a household, so DC should examine even bolder new solutions that will achieve even faster download speeds of 100-200 Mbps, which already have been achieved by municipal broadband networks that have developed across the country. See National Digital Inclusion Alliance, *Local Governments Digital Inclusion Response*, <https://www.digitalinclusion.org/local-government-covid-19-digital-inclusion-response/>. The Baltimore Digital Equity Coalition of 50 organizations advocates for very similar goals as those supported by Digital Equity in DC Education. Similar to Digital Equity in DC, BDEC also includes citizens most affected by the digital divide in their problem solving and advocacy. See <https://digitalequitybaltimore.org/our-focus/> and <https://digitalequitybaltimore.org/members/> and BDEC member testimony before the Maryland General Assembly, <https://technical.ly/baltimore/2020/12/04/digital-equity-maryland-general-assembly/>

DC Auditor in 2017.¹⁹ The Empowered Learners initiative was a 10-page, 3-year device roll-out document from 2019 that became outdated as soon as the pandemic began. The Council must create a pathway for DCPS to fully address digital equity.

In summary, while DCPS has been working toward 1:1 student and teacher to device ratios, better classroom technology, more effective technology training for students and teachers, and faster, more reliable broadband in schools, it has not come close to reaching all of those goals. The DCPS Technology Equity Act of 2021 is necessary, as it requires the development of a comprehensive, multi-year plan for DCPS to support quality, equitable education that ensures 1:1 student and teacher devices ratios, practical digital literacy training, robust IT support and maintenance, improved technology infrastructure, and sufficient internet access to support student learning.

¹⁹ Planning, Buying and Implementing New Information Technology in DC, A Report of the Office of the DC Auditor, Feb. 9, 2017: https://zd4l62ki6k620lqb52h9ldm1-wpengine.netdna-ssl.com/wp-content/uploads/2018/07/DCBC.Final_Report.2.8.17.pdf