
Note: For information on purchasing technological equipment with the instructional materials and technology allotment, see CMD.

**Technology Lending
Program Grant**

A district may apply to the commissioner of education to participate in the technology lending grant program established under Education Code 32.301. *Education Code 32.301(b)*

A district may use a grant awarded under this program or other local funds to purchase, maintain, and insure equipment for a technology lending program. Equipment purchased by a district with a grant is the property of the district. *Education Code 32.303*

**Transfer of
Equipment to
Students**

Definitions

“Data processing” means information technology equipment and related services designed for the automated storage, manipulation, and retrieval of data by electronic or mechanical means.

“Electronic device” means a device that is capable of connecting to a cellular network or the internet, including a computer, smart-phone, or tablet.

“Internet filter” means a software application that is capable of preventing an electronic device from accessing certain websites or displaying certain online material.

Education Code 32.101; Gov’t Code 2054.003(3)

Transfers

A district may transfer to a student enrolled in the district:

1. Any data processing equipment donated to the district, including equipment donated by a private donor, or a state eleemosynary institution or state agency under Government Code 2175.905 [see Fees, below];
2. Any equipment purchased by the district, to the extent consistent with the provisions at Use of Public Funds, below; and
3. Any surplus or salvage equipment owned by the district.

Education Code 32.102(a)

Before transferring data processing equipment or an electronic device to a student, a district must:

1. Adopt rules governing transfers, including provisions for technical assistance to the student by the district;
2. Determine that the transfer serves a public purpose and benefits the district;

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3. Remove from the equipment any offensive, confidential, or proprietary information, as determined by the district;
4. Adopt rules establishing programs promoting parents as partners in cybersecurity and online safety that involve parents in students' use of transferred equipment or electronic devices; and
5. For the transfer of an electronic device to be used for an educational purpose, install an internet filter that blocks and prohibits pornographic or obscene materials or applications, including from unsolicited pop-ups, installations, and downloads.

Education Code 32.104

Donations

A district may accept:

1. Donations of data processing equipment for transfer under these provisions; and
2. Gifts, grants, or donations of money or services to purchase, refurbish, or repair data processing equipment.

Education Code 32.102(b)

Fees

A state eleemosynary institution or institution or agency of higher education or other state agency may not collect a fee or other reimbursement from a district for surplus or salvage data processing equipment transferred to the district. *Gov't Code 2175.905(c)*

Use of Public Funds

A district may spend public funds to:

1. Purchase, refurbish, or repair any data processing equipment transferred to a student; and
2. Store, transport, or transfer data processing equipment under these provisions.

Education Code 32.105

Eligibility

A student is eligible to receive data processing equipment under these provisions only if the student does not otherwise have home access to data processing equipment, as determined by the district. A district shall give preference to educationally disadvantaged students. *Education Code 32.103*

Return of
Equipment

Except as provided below, a student who receives data processing equipment from a district under these provisions shall return the equipment to the district not later than the earliest of:

1. Five years after the date the student receives the equipment;

2. The date the student graduates;
3. The date the student transfers to another district; or
4. The date the student withdraws from school.

The requirements above do not apply if, at the time the student is required to return the equipment, the district determines that the equipment has no marketable value.

Education Code 32.106

**Prohibited
Applications on
District-Owned
Devices**

“Covered application” means the social media service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited, or a social media application or service specified by proclamation of the governor to pose a risk to the state. *Gov’t Code 620.001(1), .005.*

A district shall adopt a policy prohibiting the installation or use of a covered application on any device owned or leased by the district and requiring the removal of covered applications from those devices. The Department of Information Resources and the Department of Public Safety shall jointly develop a model policy for districts to use in developing the required policy. *Gov’t Code 620.003*

The district’s policy may provide for the installation and use of a covered application to the extent necessary for providing law enforcement or developing or implementing information security measures. A policy allowing the installation and use of a covered application must require the use of measures to mitigate risks posed to the state during the use of the covered application and the documentation of those measures. *Gov’t Code 620.004*