

SENATE BILL REPORT

E2SSB 6705

As Passed Senate, February 9, 1996

Title: An act relating to telecommunications, telecommunications planning, and higher education technology.

Brief Description: Requiring a higher education technology plan.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Bauer, Wood, Kohl, Zarelli, Sutherland, Cantu, Prince, Sheldon, Loveland, Winsley, Hale and Rasmussen).

Brief History:

Committee Activity: Higher Education: 1/29/96, 2/1/96 [DPS-WM].

Ways & Means: 2/5/96, 2/6/96 [DP2S].

Passed Senate, 2/9/96, 43-6.

SENATE COMMITTEE ON HIGHER EDUCATION

Majority Report: That Substitute Senate Bill No. 6705 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Bauer, Chair; Kohl, Vice Chair; Drew, Hale, McAuliffe, Prince, Rasmussen, Sheldon and Wood.

Staff: Jean Six (786-7423)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 6705 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Rinehart, Chair; Loveland, Vice Chair; Bauer, Drew, Finkbeiner, Fraser, Hargrove, Kohl, Long, Pelz, Quigley, Sheldon, Snyder, Spanel, Sutherland and Winsley.

Staff: Mike Groesch (786-7434)

Background: The state of Washington affirmed its efforts toward statewide technology planning in 1987 by requiring the Superintendent of Public Instruction and the Higher Education Coordinating Board to jointly develop and recommend an educational telecommunications network plan to provide coordination between the common schools and higher education institutions. In the same year, the Department of Community Development and the Department of Information Services were charged with the responsibility of conducting a study for a video telecommunications plan for state government.

As one of its duties, the Information Services Board is "to assure the cost-effective development and incremental implementation of a state-wide video telecommunications system to serve: Public schools; educational service districts; vocational technical institutes; community colleges; colleges and universities..." In addition, the 1995-97 budget states that "Prior to any such expenditure by a public institution of postsecondary education, a telecommunications expenditure plan shall be approved by the higher education coordinating board. The higher education coordinating board shall coordinate the use of video telecommunications for instruction and instructional support in postsecondary education, including the review and approval of instructional telecommunications course offerings."

Summary of Bill: The Legislature recognizes that providing the state of Washington with the educated citizenry required for the maintenance of a well-prepared work force, and the quality of life desired by that citizenry, requires the expansion and interconnection of the state's higher education technology.

The Higher Education Coordinating Board's (HECB) authority in higher education telecommunications programming is clarified. The board is instructed to develop and approve a statewide higher education telecommunications plan. Incorporated in the plan are desirable goals and objectives and methods to measure the outcomes. The plan must be reported to the Legislature by December 15, 1996. For the 1995-97 biennium, no expenditures may be made for a major video telecommunication project by a public institution of higher education until the HECB approves a process for developing a programming and location plan. The board is also directed to approve a governance structure for the Washington Higher Education Network.

The interactions between the K-12 system and the Department of Information Services (DIS) are defined. The office of the Superintendent of Public Instruction (OSPI) is the point of contact in technology planning, standards development and project approval through the Department of Information Services. The Department of Information Services is provided with expenditure approval over major video telecommunications projects.

Membership on the information services board is expanded to include a representative of K-12 education, a second representative of the private sector, and must include one member from the Senate and one member from the House of Representatives, not from the same party.

Appropriation: None.

Fiscal Note: Requested on January 29, 1996.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For (Higher Education): The HECB can lead in the development of a state higher education telecommunications plan. Telecommunications is a part of the answer to the access challenge. The HECB takes its coordinating role seriously; the board has traditionally served as the state's program planning body. In addition, the HECB takes the long view when setting goals such as the enrollment goal. Technology requires this long view as well. The primary purpose of the HECB is to represent the broad public interest. The HECB can help the Legislature by recommending the appropriate staging of program

offerings based on assessment of state priorities. The HECB experience with performance measures would be incorporated into the planning to evaluate whether or not the technology investment is serving the state as intended. Washington should not delay in planning for the implementation of the Washington Higher Education Network. The community colleges are eager to participate in the project.

Testimony Against (Higher Education): No delay for the WHEN project. The ISB has oversight of technology plans so there is no need for further bureaucracy. Any delay could increase costs. WHEN is not new technology so delay is unnecessary. Current programs should not be harmed by advancing the new network.

Testified (Higher Education): PRO: Marc Gaspard, Exec. Dir., HECB; Bruce Shaull, Sprint/United Tel; Dale Vincent, U.S. West Communications; Mike Scroggins, SBCTC; CON: Terry Teale, Exec. Dir., COP; Larry Ganders, WSU.

Testimony For (Ways & Means): Appropriations for the WHEN project should be provided directly to the higher education institutions. The HECB approval process should take less than 60 days to accomplish. The existing processes outlined in the bill will provide accountability and assurances that the decision process will provide the desired outcomes. These processes and regulatory aspects of the bill should not drive additional costs. There will be no need for approval of ongoing maintenance costs.

Testimony Against (Ways & Means): There is no need to create additional bureaucracy to evaluate K-12 technology acquisitions. It will be helpful to clarify that expenditure control only apply to state appropriations. ESDs and other K-12 program providers already are required to receive approval through the OSPI.

Testified (Ways & Means): Terry Teale, Executive Director, Council of Presidents (pro); Susan Patrick, HECB (pro); Dennis Small, OSPI (con); Len McComb, Chair, Information Services Board (pro); Steve Kolodny, Director, Department of Information Services (pro); Norm Weisner, Assn. of Educational Service Districts (con); Brian Talbot, ESD 101 (con).

House Amendment(s): The Higher Education Network and Distance Education Committee is formed. The committee must be convened by the Department of Information Services (DIS) and include the following or designees: the director of DIS, the executive director of the Higher Education Coordinating Board (HECB), a president of a community or technical college, a president of a public baccalaureate institution, the State Librarian, and the Superintendent of Public Instruction. On a nonvoting basis, the committee also includes a representative of the computer or telecommunications industry and a representative of a private college.

This committee must develop a network design and implementation plan for approval or modification by the Information Services Board (ISB). The design must incorporate the following principles: (a) maximize existing networks and video telecommunications resources owned or operated by the state; (b) minimize duplication of technology resources and education programs or degrees at institutions; (c) provide optimum geographic and social distribution of the benefits of a network; (d) ensure that the network can be expanded and upgraded, is based on an open-architecture model, and connects to national and worldwide information infrastructures; (e) foster partnerships among public, private, and nonprofit entities; and (f) provide for future access by public entities on a no-cost or low-cost basis. Such entities include,

but are not limited to public libraries, public hospitals, public schools, and public service agencies. The design must detail which sites are connected to the network and the technologies and service delivery modes to be utilized at each site.

For each site included in the network design, the HECB must approve a service delivery plan which provides for effective utilization of planned investments. The HECB must also approve a network governance structure, ensuring participation by all members of the network. The statutory authority of the board to coordinate telecommunication programming for public baccalaureate institutions is expanded. The board will coordinate programming, location selection, meeting community needs, and developing a statewide telecommunication plan for higher education.

The implementation plan must prioritize investments into phases to be funded by the Legislature. The plan must also incorporate specific funding options that are appropriate for the 1997 supplemental budget. The committee ensures that in each phase (a) the addition of a site or sites to the network result in a completed link and the capability to operate distance education programs; (b) the sites added in each phase have an HECB-approved service delivery plan; and (c) each phase has completed a request for proposals process.

Once approved by the ISB, the design and implementation plan must be submitted to the Office of Financial Management and the relevant committees of the Legislature by October 1, 1996.

A fund is created with the State Treasurer. Gifts, legislative appropriations, and grants for use in developing the higher education distance education network may be deposited in the account. Moneys from the account may be disbursed at the request of the director of the Department of Information Services for implementation of the network plan.

The membership of the Information Services Board is expanded to include the Superintendent of Public Instruction, a second representative of the private sector, one representative of the House of Representatives, and one representative of the Senate. The two legislative appointees may not be from the same political party. One member, who is currently appointed jointly by the House of Representatives and the Senate is removed.