

2 **SSB 5002** - H COMM AMD **ADOPTED 4-9-97**
3 By Committee on Higher Education

4

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** Unless the context clearly requires
8 otherwise, the definitions in this section apply throughout this title.

9 (1) "Committee" means the Washington education network governance
10 committee.

11 (2) "Network" means the K-20 telecommunications network under
12 chapter 28D.02 RCW.

13 (3) "Network users" means those institutions of higher education,
14 school districts, educational service districts, public libraries,
15 state agencies, and others that use the network for distance education,
16 data transmission, and other uses permitted by the committee.

17 NEW SECTION. **Sec. 2.** The Washington education network governance
18 committee is created.

19 The purpose of the committee is to ensure that the K-20
20 telecommunications network is operated in a way that serves the broad
21 public interest above the interest of any network user.

22 The committee shall consist of six voting members appointed by the
23 governor with the consent of the senate as follows: Two citizen
24 members and, serving as ex officio members, the superintendent of
25 public instruction, the chair of the higher education coordinating
26 board, the chair of the information services board, and the state
27 librarian. The governor shall appoint the members of the committee by
28 July 30, 1997. Each committee member may appoint a designee to
29 function in his or her place with the right to vote. In selecting the
30 citizen members of the committee, the governor shall strive to avoid
31 any conflict of interest. The citizen members of the committee may not
32 be employees of state or local governments, institutions of higher
33 education, the common schools, or the telecommunications industry, nor
34 may they be members of the governing boards of any educational service

1 district, institution of higher education, or telecommunications
2 company.

3 NEW SECTION. **Sec. 3.** The committee has the following powers and
4 duties:

5 (1) In cooperation with network partners and users and other
6 interested parties, to establish goals and measurable objectives for
7 the network;

8 (2) To ensure that the goals and measurable objectives of the
9 network are the basis for any decisions or recommendations regarding
10 the technical development and operation of the network;

11 (3) To adopt, modify, and implement policies for network
12 development, operation, and expansion. Such policies may include but
13 need not be limited to the following issues: Quality of service;
14 access to the network by recognized organizations and accredited
15 institutions that deliver educational programming including public
16 libraries; prioritization of programming within limited resources;
17 prioritization of access to the system and the sharing of technological
18 advances; network security; identification and evaluation of emerging
19 technologies; future expansion or redirection of the system; network
20 fee structures; and costs for the development and operation of the
21 network;

22 (4) To prepare and submit to the governor and the legislature a
23 coordinated budget for network development, operation, and expansion.
24 The budget shall include the recommendations of the committee on any
25 state funding requested for distance education facilities and hardware
26 or software by or for network users;

27 (5) To adopt and monitor the implementation of a methodology to
28 evaluate the effectiveness of the network in achieving the goals and
29 measurable objectives;

30 (6) To resolve disputes about network use submitted by either
31 subcommittee of the cross-sector advisory committee, or any member of
32 the committee;

33 (7) To approve modifications of the network design and
34 implementation plan under RCW 28D.02.020 and the phased technical plan
35 under RCW 28D.02.070;

36 (8) To review, evaluate, and recommend modifications to the initial
37 and updated location plans prepared by the higher education

1 coordinating board under RCW 28D.02.030 and the superintendent of
2 public instruction under RCW 28D.02.040;

3 (9) To authorize the release of funds from the K-20 technology
4 account under RCW 28D.02.060 for network expenditures; and

5 (10) To adopt rules as necessary to implement this chapter.

6 NEW SECTION. **Sec. 4.** (1) The cross-sector network advisory
7 committee is created to advise the committee and network users on
8 network technical and policy planning matters that require cross-sector
9 and intra-sector coordination. Such matters shall include cross-sector
10 network planning, including identification and resolution of cross-
11 institution and cross-sector technical problems; cost issues; network
12 growth; network usage, including policies on scheduling,
13 identification, and resolution of scheduling conflicts, and conflict
14 resolution; network technical quality; dissemination of information;
15 coordination of assessment and accountability information among network
16 participants; and technical network management.

17 (2) The cross-sector network advisory committee shall be comprised
18 of a policy subcommittee and a technical subcommittee as follows:

19 (a) Initially, the policy subcommittee shall be comprised of two
20 provosts of public baccalaureate institutions, appointed by the council
21 of presidents; two members appointed by the state board for community
22 and technical colleges, one of whom shall be a member of the teaching
23 faculty, selected in consultation with organizations responsible for
24 representing the faculty; four representatives of K-12 education,
25 appointed by the superintendent of public instruction; the Washington
26 state librarian or the librarian's designee; two representatives of
27 independent institutions of higher education, appointed by the
28 governor; and up to four public members, one of whom shall be appointed
29 by each legislative caucus. The public members shall be citizens with
30 an interest in the education of the public and in information
31 technology. All members serve at the pleasure of the appointing
32 authorities. The membership of the policy subcommittee may be revised
33 by the unanimous agreement of the committee;

34 (b) Initially, the technical subcommittee shall be comprised of
35 equal numbers of postsecondary and K-12 representatives, four public
36 members with technical expertise, appointed by the chair of the
37 information services board; and one or more representatives of the
38 department of information services, appointed by the director of the

1 department of information services. At least one member of the
2 technical subcommittee shall be a representative of the independent
3 institutions of higher education, appointed by the committee, and at
4 least one member shall be a representative of public libraries,
5 appointed by the state librarian. Members serve at the pleasure of the
6 appointing authority. The specific duties of the technical
7 subcommittee shall be determined by the committee, in cooperation with
8 network users. The membership of the technical subcommittee may be
9 revised by unanimous agreement of the committee.

10 (3) The cross-sector network advisory committee shall be convened
11 and coordinated by the committee, in cooperation with network users.

12 (4) Recommendations and requests from either subcommittee shall be
13 reviewed by the cross-sector network advisory committee as a whole
14 before submission to the committee.

15 NEW SECTION. **Sec. 5.** (1) The committee is not intended to
16 duplicate the statutory responsibilities of the higher education
17 coordinating board, the superintendent of public instruction, the
18 information services board, the state librarian, or the governing
19 boards of the institutions of higher education.

20 (2) The committee shall not interfere in any curriculum or legally
21 offered programming offered over the network.

22 (3) The coordination of telecommunications planning for
23 institutions of higher education as defined in RCW 28B.10.016 remains
24 the responsibility of the higher education coordinating board under RCW
25 28B.80.600. The committee may recommend but not require revisions to
26 the board's telecommunications plan.

27 (4) The responsibility to review and approve standards and common
28 specifications for the network remains the responsibility of the
29 information services board under RCW 43.105.041.

30 (5) The coordination of telecommunications planning for the common
31 schools remains the responsibility of the superintendent of public
32 instruction. The committee may recommend but not require revisions to
33 the superintendent's telecommunications plans.

34 NEW SECTION. **Sec. 6.** The two citizen members of the committee
35 shall be compensated in accordance with RCW 43.03.250. The committee
36 may hire staff who shall be exempt from the provisions of chapter 41.06
37 RCW. The staff shall be housed by the office of financial management,

1 which shall provide accounting and administrative support for the
2 committee.

3 **Sec. 7.** RCW 28D.02.010 and 1996 c 137 s 2 are each amended to read
4 as follows:

5 (1) The K-20 telecommunications oversight and policy committee is
6 established to: Adopt policy goals and objectives for a K-20
7 telecommunications system, adopt a network design and implementation
8 plan, and authorize release of funds for network purposes.

9 (2) The duties of the committee shall include, but need not be
10 limited to:

11 (a) The adoption of system goals and objectives and timelines for
12 submission of the proposed plans under RCW 28D.02.030 through
13 28D.02.050 and 28D.02.070 by June 1, 1996;

14 (b) The authorization of the construction and acquisition of a
15 network backbone upon its approval of phase one of a technical plan for
16 the network as specified in RCW 28D.02.070(1);

17 (c) The preparation and subsequent updates of a network design and
18 implementation plan that includes locations to be served by the
19 network, service delivery specifications, a network governance
20 structure, other appropriate components, and a phased technical plan in
21 accordance with RCW 28D.02.070(2). The plan shall be adopted after
22 considering the recommendations of the information services board, the
23 higher education coordinating board, and the superintendent of public
24 instruction;

25 (d) The preparation of an implementation plan that prioritizes
26 access to the network backbone and other telecommunication components;
27 and

28 (e) The authorization of the release of funds for expenditures to
29 construct the network and distance education components.

30 (3) By April 15, 1996, the department of information services shall
31 convene the committee. The committee shall include the following
32 voting members or their designees: The governor; one member from each
33 caucus of the senate, appointed by the president of the senate; one
34 member from each caucus of the house of representatives, appointed by
35 the speaker of the house of representatives; the superintendent of
36 public instruction; the chair of the higher education coordinating
37 board; and the chair of the information services board. On a nonvoting
38 basis, the committee shall include the following members or their

1 designees: One community college or technical college president,
2 appointed by the state board for community and technical colleges; one
3 president of a public baccalaureate institution, appointed by the
4 council of presidents; the state librarian; one educational service
5 district superintendent, one school district superintendent, and one
6 representative of an approved private school, each appointed by the
7 superintendent of public instruction; one representative of independent
8 nonprofit baccalaureate institutions, appointed by the Washington
9 friends of higher education; and one representative of the computer or
10 telecommunications industry, appointed by the information services
11 board. The voting members must reach a consensus in approving the
12 network design and implementation plan. The department shall provide
13 staff support to the committee.

14 (4) This section expires six months after the appointment of the
15 committee created in section 2 of this act.

16 **Sec. 8.** RCW 28D.02.060 and 1996 c 137 s 7 are each amended to read
17 as follows:

18 The K-20 technology account is hereby created in the state
19 treasury. The department of information services shall deposit into
20 the account all moneys received from legislative appropriations, gifts,
21 grants, and endowments for the K-20 telecommunication system. The
22 account shall be subject to appropriation and may be expended solely
23 for the K-20 telecommunication system (~~approved by the committee under~~
24 ~~RCW 28D.02.010~~). Disbursements from the account shall be on
25 authorization of the director of the department of information services
26 with approval of the committee under (~~RCW 28D.02.010~~) sections 1
27 through 6 of this act.

28 NEW SECTION. **Sec. 9.** Sections 1 through 6 of this act are each
29 added to chapter 28D.02 RCW.

30 NEW SECTION. **Sec. 10.** Sections 1 through 6 of this act expire
31 June 30, 2002.

32 NEW SECTION. **Sec. 11.** Sections 1, 2, and 6 of this act are
33 necessary for the immediate preservation of the public peace, health,
34 or safety, or support of the state government and its existing public
35 institutions, and take effect July 1, 1997.

1 NEW SECTION. **Sec. 12.** Sections 3 through 5, 8, and 10 of this act
2 take effect six months after the appointment of the committee under
3 section 2 of this act."

4 Correct the title.

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