

HOUSE BILL REPORT

HB 1698

As Reported By House Committee On:
Higher Education
Appropriations

Title: An act relating to the K-20 telecommunications network.

Brief Description: Creating the K-20 telecommunications network governance committee.

Sponsors: Representatives Huff, Radcliff, Carlson, Talcott, Clements, Tokuda, McMorris, Hickel, Sehlin, Lisk, Skinner, Sheahan, Alexander, Benson, Gombosky, Wensman, Kessler, Lambert, D. Schmidt, Hatfield, Honeyford, O'Brien, Keiser and Cooke.

Brief History:

Committee Activity:

Higher Education: 2/13/97, 2/21/97 [DPA];
Appropriations: 3/6/97, 3/8/97 [DPS(APP)].

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass as amended. Signed by 9 members: Representatives Carlson, Chairman; Radcliff, Vice Chairman; Mason, Ranking Minority Member; Kenney, Assistant Ranking Minority Member; Butler; Dunn; O'Brien; Sheahan and Van Luven.

Staff: Suzi Morrissey (786-7120).

Background: The 1996 Legislature approved the creation of a telecommunication network to serve the distance learning, Internet access, data transmission, and similar telecommunication needs of the public and private K-12 and higher education systems in the state. About \$54 million was appropriated for the backbone of the system; however, the Governor vetoed \$12 million of the appropriation.

The legislation approving the network required the Higher Education Coordinating Board and the Superintendent of Public Instruction to work with the greater education and higher education communities to prepare various planning documents for the system. The Information Services Board was directed to create a phased technical plan for the network design. An oversight committee that included representation

from the Governor, the Legislature, the education and higher education systems, and interested state agencies was formed to approve the planning documents and the initial expenditures for the system. As required by the legislation, the Higher Education Coordination Board and Superintendent of Public Instruction have adopted a proposed governance structure for the system. The House members of the oversight committee proposed a different governance model and were the only members of the oversight group to vote against the governance model proposed by the Higher Education Coordinating Board and Superintendent of Public Instruction.

Summary of Amended Bill: The Washington Education Network Governance Committee is created. The purpose of the committee is to ensure that the K-20 network is operated in a way that serves the broad public interest above the interests of any network user. The committee will consist of six voting members appointed by the Governor with the consent of the Senate. Two of the members will be citizens; the other four members will be the Superintendent of Public Instruction, the chair of the Higher Education Coordinating Board, the chair of the Information Services Board, and the state librarian.

The duties of the committee are described. They include establishing goals and measurable objectives for the network and ensuring that these goals are the basis for network operations and development. The committee will implement policies for the development, operation, and expansion of the network and will submit a coordinated network budget. The committee will oversee the evaluation of the network, resolve disputes over network use, and approve modifications to the network planning documents prepared by the Higher Education Coordinating Board, Superintendent of Public Instruction, and the Information Services Board. The committee will also approve the expenditure of funds from the K-20 technology account.

The Cross-Sector Network Advisory Committee (C-NAC) is formed to advise the committee and network users on technical and planning issues that require cross-sector coordination. The types of issues the C-NAC will cover are described. The C-NAC includes both technical and academic planning personnel and is composed of two subcommittees.

Initially, the technical subcommittee will be comprised of equal numbers of K-12 and postsecondary representatives including four public members with technical expertise appointed by the chair of Information Services Board, and at least one representative of the Department of Information Services appointed by the director of the Department of Information Services. At least one member of the subcommittee will be a representative of the independent higher education institutions and one will be a representative of public libraries, appointed by the state librarian. The membership of the technical subcommittee may be revised by unanimous agreement of the committee.

Initially, the policy subcommittee will be comprised of two provosts from the public baccalaureate institutions appointed by the Council of Presidents, two members appointed by the State Board for Community and Technical Colleges, four representatives of K-12 appointed by the Superintendent of Public Instruction, the Washington state librarian or designee, two representatives of independent higher education institutions appointed by the Governor, and up to four public members with one of the four appointed by the leadership of each legislative caucus. The public members will not be legislators. The membership of the policy subcommittee may be revised by unanimous agreement of the committee. All members of both subcommittees serve at the pleasure of the appointing authorities.

The committee is not intended to duplicate the statutory responsibilities of the Higher Education Coordinating Board, Superintendent of Public Instruction, the Information Services Board, the state librarian, or the governing boards of the institutions of higher education. The committee will not interfere with any curriculum or legally offered programming offered over the network. The committee may recommend, but not require, revisions to the telecommunications plans developed by the Higher Education Coordinating Board and Superintendent of Public Instruction.

The committee may hire staff and determine staff compensation packages.

The sections creating the committee and giving them the ability to hire staff take effect July 1, 1997. The committee will assume its duties on February 1, 1998. On that same day, the K-20 Telecommunications Oversight and Policy Committee is terminated. The entire governance structure is terminated on June 30, 2002.

Amended Bill Compared to Original Bill: One of the two persons selected by the State Board for Community and Technical Colleges for the policy subcommittee will represent the teaching faculty.

Appropriation: None.

Fiscal Note: Requested on February 10, 1997.

Effective Date of Amended Bill: Sections 3 through 5, 8, and 10 of this act take effect February 1, 1998.

Testimony For: The education telecommunication network is still in its formative stages. There is no discernable blueprint yet to determine short-term or long-term need or usage for the network. The network governance structure needs to include some knowledgeable persons who have no stake in the system to ensure that the network is operated in the broad public interest. Libraries are a very important component of the state's education system and should be an integral part of any

governing structure. The powers and duties of the governance structure should be well understood and should have the support of the Legislature.

Testimony Against: The governance proposal forwarded by the Higher Education Coordinating Board and Superintendent of Public Instruction may be a catalyst to hasten the development of a seamless system of education. It places responsibility on existing agencies to govern and operate the telecommunication network. The agencies will determine the governance and operation of the network through interagency agreements. The development of the educational system's governance proposal has been a model of collaboration. Those collaborative efforts should be encouraged through the adoption of the governance structure proposed through that process.

Testified: Representative Tom Huff, prime sponsor (pro); Susan Patrick, Higher Education Coordinating Board (con); Norm Wisenor, Office of the Superintendent of Public Instruction (con); Terry Teale, Council of Presidents (con); Louis Fox, University of Washington (con); and Mike Scroggins, State Board for Community and Technical Colleges (con).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Appropriations be substituted therefor and the substitute bill do pass. Signed by 28 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Cody; Cooke; Crouse; Grant; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; Mastin; McMorris; Parlette; Poulsen; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

Minority Report: Do not pass. Signed by 2 members: Representatives H. Sommers, Ranking Minority Member; and Chopp.

Staff: Mary Alice Grobins (786-7118).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Higher Education: The substitute bill provides that the Governor appoints the members of the committee by July 1, 1997. Governance committee staff are placed within the Office of Financial Management, which must also provide administrative and accounting support. Compensation is provided for two citizen members of the committee. The C-NAC advises on intra-sector coordination issues as well as cross-sector issues. The Telecommunications Oversight and Policy Committee expires six months after the appointment of the committee created in Section 2. Sections 3 through 5, 8 and 10 take effect six months after the appointment of the committee in Section 2.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Sections 3 through 5, 8, and 10 of this act take effect January 1, 1998.

Testimony For: None.

Testimony Against: None.

Testified: None.