
SUBSTITUTE HOUSE BILL 1698

State of Washington

55th Legislature

1997 Regular Session

By House Committee on Appropriations (originally sponsored by 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)

Read first time 03/10/97.

1 AN ACT Relating to the K-20 telecommunications network; amending
2 RCW 28D.02.010 and 28D.02.060; adding new sections to chapter 28D.02
3 RCW; providing an effective date; providing a contingent effective
4 date; providing an expiration date; providing a contingent expiration
5 date; and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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.

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

4 The committee shall consist of six voting members appointed by the
5 governor with the consent of the senate as follows: Two citizen
6 members and, serving as ex officio members, the superintendent of
7 public instruction, the chair of the higher education coordinating
8 board, the chair of the information services board, and the state
9 librarian. The governor shall appoint the members of the committee by
10 July 30, 1997. Each committee member may appoint a designee to
11 function in his or her place with the right to vote. In selecting the
12 citizen members of the committee, the governor shall strive to avoid
13 any conflict of interest. The citizen members of the committee may not
14 be employees of state or local governments, institutions of higher
15 education, the common schools, or the telecommunications industry, nor
16 may they be members of the governing boards of any educational service
17 district, institution of higher education, or telecommunications
18 company.

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

21 (1) In cooperation with network partners and users and other
22 interested parties, to establish goals and measurable objectives for
23 the network;

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

27 (3) To adopt, modify, and implement policies for network
28 development, operation, and expansion. Such policies may include but
29 need not be limited to the following issues: Quality of service;
30 access to the network by recognized organizations and accredited
31 institutions that deliver educational programming including public
32 libraries; prioritization of programming within limited resources;
33 prioritization of access to the system and the sharing of technological
34 advances; network security; identification and evaluation of emerging
35 technologies; future expansion or redirection of the system; network
36 fee structures; and costs for the development and operation of the
37 network;

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

6 (5) To adopt and monitor the implementation of a methodology to
7 evaluate the effectiveness of the network in achieving the goals and
8 measurable objectives;

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

12 (7) To approve modifications of the network design and
13 implementation plan under RCW 28D.02.020 and the phased technical plan
14 under RCW 28D.02.070;

15 (8) To review, evaluate, and recommend modifications to the initial
16 and updated location plans prepared by the higher education
17 coordinating board under RCW 28D.02.030 and the superintendent of
18 public instruction under RCW 28D.02.040;

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

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

22 NEW SECTION. **Sec. 4.** (1) The cross-sector network advisory
23 committee is created to advise the committee and network users on
24 network technical and policy planning matters that require cross-sector
25 and intra-sector coordination. Such matters shall include cross-sector
26 network planning, including identification and resolution of cross-
27 institution and cross-sector technical problems; cost issues; network
28 growth; network usage, including policies on scheduling,
29 identification, and resolution of scheduling conflicts, and conflict
30 resolution; network technical quality; dissemination of information;
31 coordination of assessment and accountability information among network
32 participants; and technical network management.

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

35 (a) Initially, the policy subcommittee shall be comprised of two
36 provosts of public baccalaureate institutions, appointed by the council
37 of presidents; two members appointed by the state board for community
38 and technical colleges, one of whom shall be a member of the teaching

1 faculty, selected in consultation with organizations responsible for
2 representing the faculty; four representatives of K-12 education,
3 appointed by the superintendent of public instruction; the Washington
4 state librarian or the librarian's designee; two representatives of
5 independent institutions of higher education, appointed by the
6 governor; and up to four public members, one of whom shall be appointed
7 by each legislative caucus. The public members shall be citizens with
8 an interest in the education of the public and in information
9 technology. All members serve at the pleasure of the appointing
10 authorities. The membership of the policy subcommittee may be revised
11 by the unanimous agreement of the committee;

12 (b) Initially, the technical subcommittee shall be comprised of
13 equal numbers of postsecondary and K-12 representatives, four public
14 members with technical expertise, appointed by the chair of the
15 information services board; and one or more representatives of the
16 department of information services, appointed by the director of the
17 department of information services. At least one member of the
18 technical subcommittee shall be a representative of the independent
19 institutions of higher education, appointed by the committee, and at
20 least one member shall be a representative of public libraries,
21 appointed by the state librarian. Members serve at the pleasure of the
22 appointing authority. The specific duties of the technical
23 subcommittee shall be determined by the committee, in cooperation with
24 network users. The membership of the technical subcommittee may be
25 revised by unanimous agreement of the committee.

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

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

31 NEW SECTION. **Sec. 5.** (1) The committee is not intended to
32 duplicate the statutory responsibilities of the higher education
33 coordinating board, the superintendent of public instruction, the
34 information services board, the state librarian, or the governing
35 boards of the institutions of higher education.

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

1 (3) The coordination of telecommunications planning for
2 institutions of higher education as defined in RCW 28B.10.016 remains
3 the responsibility of the higher education coordinating board under RCW
4 28B.80.600. The committee may recommend but not require revisions to
5 the board's telecommunications plan.

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

9 (5) The coordination of telecommunications planning for the common
10 schools remains the responsibility of the superintendent of public
11 instruction. The committee may recommend but not require revisions to
12 the superintendent's telecommunications plans.

13 NEW SECTION. **Sec. 6.** The two citizen members of the committee
14 shall be compensated in accordance with RCW 43.03.250. The committee
15 may hire staff who shall be exempt from the provisions of chapter 41.06
16 RCW. The staff shall be housed by the office of financial management,
17 which shall provide accounting and administrative support for the
18 committee.

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

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

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

27 (a) The adoption of system goals and objectives and timelines for
28 submission of the proposed plans under RCW 28D.02.030 through
29 28D.02.050 and 28D.02.070 by June 1, 1996;

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

33 (c) The preparation and subsequent updates of a network design and
34 implementation plan that includes locations to be served by the
35 network, service delivery specifications, a network governance
36 structure, other appropriate components, and a phased technical plan in
37 accordance with RCW 28D.02.070(2). The plan shall be adopted after

1 considering the recommendations of the information services board, the
2 higher education coordinating board, and the superintendent of public
3 instruction;

4 (d) The preparation of an implementation plan that prioritizes
5 access to the network backbone and other telecommunication components;
6 and

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

9 (3) By April 15, 1996, the department of information services shall
10 convene the committee. The committee shall include the following
11 voting members or their designees: The governor; one member from each
12 caucus of the senate, appointed by the president of the senate; one
13 member from each caucus of the house of representatives, appointed by
14 the speaker of the house of representatives; the superintendent of
15 public instruction; the chair of the higher education coordinating
16 board; and the chair of the information services board. On a nonvoting
17 basis, the committee shall include the following members or their
18 designees: One community college or technical college president,
19 appointed by the state board for community and technical colleges; one
20 president of a public baccalaureate institution, appointed by the
21 council of presidents; the state librarian; one educational service
22 district superintendent, one school district superintendent, and one
23 representative of an approved private school, each appointed by the
24 superintendent of public instruction; one representative of independent
25 nonprofit baccalaureate institutions, appointed by the Washington
26 friends of higher education; and one representative of the computer or
27 telecommunications industry, appointed by the information services
28 board. The voting members must reach a consensus in approving the
29 network design and implementation plan. The department shall provide
30 staff support to the committee.

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

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

35 The K-20 technology account is hereby created in the state
36 treasury. The department of information services shall deposit into
37 the account all moneys received from legislative appropriations, gifts,
38 grants, and endowments for the K-20 telecommunication system. The

1 account shall be subject to appropriation and may be expended solely
2 for the K-20 telecommunication system (~~approved by the committee under~~
3 ~~RCW 28D.02.010~~). Disbursements from the account shall be on
4 authorization of the director of the department of information services
5 with approval of the committee under (~~RCW 28D.02.010~~) sections 1
6 through 6 of this act.

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

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

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

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

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