

HOUSE BILL ANALYSIS

ESB 5789

Brief Description: Changing telecommunications governance.

Brief Summary of Bill

· Creating the K20 Educational Network Board as replacement for the Telecommunications Oversight and Policy Committee (TOPC).

Background:

The 1996 Legislature approved the creation of a telecommunications network to serve distance learning, internet access, data transmission, and other telecommunications needs of various public and private organizations in Washington (E2SSB 6705). The network was to be developed in phases and to include:

Phase 1: A backbone connecting K-12 educational service districts (ESD), the main campuses of public baccalaureate institutions, the branch campuses of the University of Washington and Washington State University, and the main campuses of community and technical colleges.

Phase 2: Connection to the network by (i) K-12 school districts, public higher-education off-campus and extension centers, branch campuses of community and technical colleges, and independent non-profit baccalaureate institutions, and (ii) distance education facilities and components for entities wired in Phase 1 and 2.

Phase 3 and beyond: Providing connections to other entities determined by the TOPC. These may include public libraries, state and local governments, community resources centers, and the private sector.

Governance of the K20 Network

Section 2 of E2SSB 6705 established the TOPC to adopt policy goals and objectives for the K20 telecommunications system, to adopt a network design and implementation plan, and to authorize release of funds for network purposes.

There are 8 voting members of TOPC (or their designees):

- The Governor,
- One member from each caucus of the Senate, appointed by the president of the Senate,
- One member from each caucus of the House of Representatives, appointed by the speaker of the House of Representatives,
- The Superintendent of Public Instruction (SPI),
- The chair of the Higher Education Coordinating Board (HECB), and
- The chair of the Information Services Board (ISB)

There are also 8 non-voting members of TOPC (or their designees):

- A community/technical college president, appointed by the State Board for Community and Technical Colleges (SBCTC),
- The president of a public baccalaureate institution, appointed by the Council of Presidents (COP),
- The State Librarian,
- A superintendent of an ESD, appointed by OSPI,
- A school district superintendent, appointed by OSPI,
- A private school representative, appointed by OSPI,
- A representative of an independent non-profit baccalaureate institutions, appointed by the Washington Friends of Higher Education, and
- A representative of the computer/telecommunications industry appointed by ISB

Duties of the ISB and Department of Information Services (DIS)

The ISB is required to provide recommendations to the TOPC on network design and planning, to name the computer industry representative to TOPC, to plan, review and approve the K20 construction technical plan, to serve as a member of TOPC, and to provide project oversight. The ISB established a technical working group to provide recommendations to the ISB regarding design, planning and construction of the network. The DIS is responsible to convene and staff TOPC and to authorize disbursements for the network.

Status of network development

The TOPC has adopted a network use policy designating K-20 as an educational network. Following enactment of the K20 network enabling legislation, the federal government announced the establishment of a new program to provide funding to states for public K12 internet connections (known as e-rate-). Current Federal Communications Commission rules do not allow public schools to receive e-rate funds if they participate in consortia that are not exclusively comprised of public education users. K-20 connections have not been provided beyond public education sites. K-20 Phase 1 development and implementation are complete, and the portion of Phase 2 that provides connections to public K-12 and higher education sites is nearly finished.

Summary of the Bill:

The K-20 Educational Network Board is established to ensure that the network is operated in a way that serves the broad public interest above the interest of any network user. The board shall have 11 voting members:

- Governor's designee
- Four legislative members: one from each caucus of each chamber
- SPI or designee
- HECB executive director or designee
- SBCTC executive director or designee
- Chair, ISB, or designee
- Director, DIS, or designee
- Citizen member appointed by Governor

There shall be seven nonvoting members:

- 1 CTC president
- 1 public baccalaureate president
- State Librarian
- 1 K-12 ESD superintendent
- 1 school district superintendent
- 1 representative of approved private school appointed by SPI
- 1 representative of an independent nonprofit baccalaureate institution

Powers and duties of the board include the following: establishing network goals and objectives; ensuring that goals and objectives form the basis for network technical development and operation; adopting, modifying and implementing policies for network development, operation, and expansion; preparing a coordinated budget; adopting and

monitoring a methodology to evaluate network effectiveness; approving modifications of the network design and implementation plan; authorizing release of funds from the K-20 technology account; and appointing advisory committees.

The Information Services Board shall appoint a technical advisory committee comprised of representatives of K-12 and higher education and the department of information services to advise the K-20 Educational Network Board on technical issues.

Actions of the TOPC shall remain in effect. The board is not intended to duplicate statutory responsibilities of the network users. The DIS shall maintain the K-20 operations cooperative, which is responsible for day-to-day network operations. DIS charges all current and future users an annual co-payment per unit of transportation connection deposited into the revolving fund. The Legislature must appropriate to the revolving fund money for the remainder of the network operating costs

Effective Date: The bill contains an emergency clause and takes effect July 1, 1999.

Fiscal Note: Available.