

HOUSE BILL REPORT

SSB 5002

As Reported By House Committee On:

Higher Education

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

Brief Description: Creating the cross-sector network advisory committee to advise on K-20 educational telecommunications network technical and policy planning.

Sponsors: Senate Committee on Higher Education (originally sponsored by Senators Wood, Bauer, Sheldon, Winsley, Kohl, McAuliffe and Rasmussen).

Brief History:

Committee Activity:

Higher Education: 3/25/97, 3/28/97 [DPA].

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 Loven.

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 Coordinating 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 committee members may appoint a designee.

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, the 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 and intra-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 the 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 Office of Financial Management will house the staff and provide administrative and accounting support to the committee. The two citizen members of the committee may receive compensation of up to \$100 per day.

The sections creating the committee and giving them the ability to hire staff take effect July 1, 1997. The committee will assume its duties six months after the members are appointed. 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 Substitute Bill: The governance committee is expanded to include the state librarian and two citizen members. The duties of the committee are described in statute rather than through an interagency agreement. The membership of C-NAC may change over time, if the members of the governance committee all agree to the change in composition. Staff to the committee will be housed at the Office of Financial Management rather than at the Higher Education Coordinating Board, the Office of the Superintendent of Public Instruction, and the Department of Information Services. The members of the policy committee representing the public baccalaureate institutions will be selected by the Council of Presidents rather than the Higher Education Coordinating Board. One of the two people representing the community and technical colleges will be a faculty member. The Telecommunications Oversight and Policy Committee terminates six months after the appointment of the members of the governance committee rather than on June 30, 1998.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: Sections creating the committee and permitting it to hire staff take effect July 1, 1997. Sections describing the duties of the committee and the termination of the Telecommunications Oversight and Policy Committee take effect six months after the committee is appointed.

Testimony For: (Original Bill) 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. The model does not create an additional layer of bureaucracy. The existing agencies should be responsible for and held accountable for the governance of this educational network.

(Concerns with Proposed Amendment) The Legislature should be leery of creating another layer of governance. It should not create a governance structure that will include citizen members who may not be knowledgeable about the needs of the educational community. A governance structure should not include the state librarian because the Superintendent of Public Instruction is the chair of the board that the state librarian serves.

Testimony Against: None.

Testified: (Pro original Senate bill) Senator Jeanette Wood, prime sponsor; Jean Ameluxen, Office of Superintendent of Public Instruction; Katrina Meyer, Higher Education Coordinating Board; Stephen Dinger, Washington Federation of Independent Schools; and Terry Teale, Council of Presidents.