

# HOUSE BILL REPORT

## 2SHB 1946

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### As Amended by the Senate

**Title:** An act relating to higher education online technology.

**Brief Description:** Regarding higher education online technology.

**Sponsors:** House Committee on Education Appropriations (originally sponsored by Representatives Carlyle, Anderson, Wallace, Angel, White, Schmick, Hasegawa, Goodman, Sullivan, Haigh, Hudgins, Kenney and Maxwell).

### Brief History:

#### Committee Activity:

Higher Education: 2/17/09, 2/18/09 [DPS];

Education Appropriations: 2/25/09, 2/26/09 [DP2S(w/o sub HE)].

#### Floor Activity

Passed House: 3/6/09, 95-0.

Senate Amended.

Passed Senate: 4/16/09, 46-0.

### Brief Summary of Second Substitute Bill

- Encourages all institutions of higher education to use common online learning technologies.
- Requires the Higher Education Coordinating Board to convene a workgroup to improve the use of technology in education.
- Requires that the workgroup report preliminary findings and recommendations, based on its comprehensive analysis, by December 1, 2009, with a final report to follow by December 1, 2010.

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### HOUSE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Wallace, Chair; Sells, Vice Chair; Anderson, Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Angel, Carlyle, Driscoll, Haler, Hasegawa and White.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Staff:** Andi Smith (786-7304)

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## HOUSE COMMITTEE ON EDUCATION APPROPRIATIONS

**Majority Report:** The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by 14 members: Representatives Haigh, Chair; Sullivan, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Anderson, Carlyle, Cox, Haler, Hunter, Kagi, Probst, Quall, Rolfes and Wallace.

**Staff:** Debbie Driver (786-7143)

### **Background:**

Technology Transformation Taskforce in the Community and Technical Colleges. Beginning in 2006, the Technology Transformation Taskforce (Taskforce) of the State Board for Community and Technical Colleges (SBCTC) conducted an 18-month analysis to identify ways to improve education through the effective use of technology. The Taskforce conducted extensive surveys, focus groups, and interviews with students, faculty, staff, and education and information technology experts and educators from across the country and around the world. It also analyzed the community and technical college system's successes and mistakes in the deployment of information technology during the past 25 years.

The Taskforce issued a report in 2008 that dealt with three major areas of technology deployment: student learning, student services, and administration. In all three areas, the Taskforce found a need for greater uniformity across the 34 community and technical colleges in the system and within the broader P-20 education system. This plan also recommended a shift from locally developed software and hosting services.

### Information Technology Terms.

**Open textbook (and other course material):** An open textbook is an openly-licensed textbook offered online by its author(s). The open license sets open textbooks apart from traditional textbooks by allowing users to read online, download, or print the book at no cost. For a textbook to be considered open, it must be licensed in a way that grants a baseline set of rights to users that are less restrictive than its standard copyright. A license or list of permissions must be clearly stated by the author. Open textbooks are increasingly seen as a potential solution to some of the challenges with the traditional textbook publishing model.

*Hosted application:* A hosted application, also known as Internet-based application, web-based application, online application, and Application Service Providers (ASPs) are software applications where the software resides on servers that are accessed through the Internet instead of the more traditional software that is installed on either a local server or on individual computers.

*Web conferencing service:* A web conferencing service is a service that allows users to share documents, make presentations, demonstrate products and services, and communicate as if they were 'face-to-face' with people at almost any location via a personal computer using an Internet connection.

## **Summary of Second Substitute Bill:**

### Common Learning Technologies.

All institutions of higher education are encouraged to use common online learning technologies, including those currently managed by the SBCTC. Institutions that decide to migrate to the common system may begin doing so immediately. For those institutions that opt in, the SBCTC will adjust current licenses to accommodate the additional schools and convene a workgroup to determine a shared fee structure.

### Technology Workgroup.

The Higher Education Coordinating Board (HECB) must convene a workgroup to improve the effectiveness, efficiency, and quality of education relative to the use of technology. The group must include representatives from each of the public baccalaureate institutions, six community or technical colleges; two faculty members from four-year institutions, two faculty members from community and technical colleges, at least one of the faculty members from each sector must be selected by statewide bargaining representatives; and one representative each from the HECB, the SBCTC, the Workforce Training and Education Coordinating Board, the Department of Information Services, and the Council of Presidents.

The group must take the following actions in developing the plan:

- Investigate efforts in other states regarding online learning technologies, personalized online student services, integrated administrative tools, shared library resources, methods for sharing digital content, methods for pooling and sharing enrollments in online classes, and methods for ensuring quality of online programs and classes.
- Develop a process and timeline for implementing the recommendations of the various investigations.
- Focus on statewide capability and standards to create effective use of common resources.
- Identify the metrics that can be used to gauge success.
- Conduct a comprehensive audit of existing Information Technology resources currently being used at all public institutions of higher education including employees, infrastructure, and licenses. Failure of an institution to participate must be noted in the workgroup's plan.
- Subject to appropriations for this purpose, the HECB must contract with an independent consultant to review the findings of the audit.
- Recommend strategies to reduce duplication, increase quality, and increase student access.
- Recommend governance and funding models as well as accountability measures.
- Provide a preliminary report to the Legislature by December 1, 2009, and a final report by December 1, 2010.

### **EFFECT OF SENATE AMENDMENT(S):**

The Senate added a null and void clause to the bill, rendering the act null and void if it isn't either funded or referenced in the conference operating budget.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony (Higher Education):**

(In support) We have a challenge and an opportunity facing us. The challenge is that we don't have a handle on how much we spend to organize and manage our technology systems. The way we fund technology is broken. We have an opportunity to put together a strategy to coordinate resources and create a shared system in which we can make smarter decisions. A shared system is scary to some, but it really still values local, entrepreneurial efforts. The second opportunity regards distance learning. Enrollments are growing very quickly, and we need to recognize that this is the way that young people want to learn. We must come up with a strategy to avoid buying and implementing separate, expensive systems.

The SBCTC supports the vision and core principles of this plan. It is similar to a process that the SBCTC just went through. This planning process will enable us to stop doing things 34 plus ways and instead, do it once and capture efficiencies. Washington State University is in the midst of a major administrative system upgrade and welcomes the vision and opportunity that this Taskforce will provide to help us maximize efficiencies and realize institutional savings. The HECB also supports the bill. It fits well with the implementation of the Strategic Master Plan. Technology has radically changed our educational system and as a system, we need to adapt. The Council of Presidents is also supportive of the bill. In its first iteration, the bill presented major challenges for our institutions, but the prime sponsor listened and we are fully committed to supporting the second version of the proposed substitute bill. The University of Washington is also supportive of the bill. Getting the process starting and collaborating across sectors will benefit students. While we want to enable agility, it is also important to recognize the complexity of information technology. That is why careful study and analysis combined with a phased approach is key to avoid getting stuck in the "swamp" that sometimes stymies this type of systemic change.

(Comments) Faculty are very much on-board with this change. Some of the talk in the bill will be frightening to faculty, especially higher education that can be delivered in a multi-task kind of way. There will be resistance. The Taskforce is great but the composition has to change to include genuine and meaningful involvement of faculty. You need all kinds of faculty – from union-oriented faculty who understand bargaining and workload, to technology savvy faculty, and faculty that don't know how to turn on their computers. The Washington Education Association supports the concept and the bill and likes the second version of the proposed substitute bill. We do want to make this work and including faculty in a substantive way will help make that happen.

(Opposed) None.

**Staff Summary of Public Testimony (Education Appropriations):**

(In support) On a financial and policy level, the manner in which Washington funds and manages resources for higher education is structurally broken. Work has been done to come

up with options for shifting resources from administration to students. Technology Transformation Task Forces done in the past have resulted in saving substantial dollars. More importantly, the creation of a strategy that would allow many colleges to share resources on the back end and get better outcomes for students in the form of distance learning and other services is addressed in this bill. Technology support instruction is the fastest growing sector of the two-year systems curriculum. Comprehensive planning across the higher education sectors is welcome. This bill would require the two and four-year systems to work together to develop a strategy to leverage resources that would result in future savings. In addition, this bill would lead to improved quality of education for students. The bill would have additional support with the amendment allowing faculty members to be formally involved in the task force.

(Opposed) None.

**Persons Testifying** (Higher Education): (In support) Representative Carlyle, prime sponsor; Cable Green, State Board for Community and Technical Colleges; Viji Murali, Washington State University; Bob Billings, Higher Education Coordinating Board; Terry Teale, Council of Presidents; and Todd Mildon, University of Washington.

(Comments) Bill Lyne, United Faculty of Washington State and Western Washington University Faculty; and Wendy Rader-Konofalski, Washington Education Association.

**Persons Testifying** (Education Appropriations): Representative Carlyle, prime sponsor; Jan Yoshiwara, State Board for Community and Technical Colleges; and Bernal Baca, American Federation of Teachers of Washington.

**Persons Signed In To Testify But Not Testifying** (Higher Education): None.

**Persons Signed In To Testify But Not Testifying** (Education Appropriations): None.