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**SUBSTITUTE SENATE BILL 5002**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

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

Read first time 01/28/97.

1 AN ACT Relating to the governance of the K-20 educational  
2 telecommunications network; amending RCW 28D.02.010; adding new  
3 sections to chapter 28D.02 RCW; adding new sections to chapter 43.131  
4 RCW; providing an effective date; providing an expiration date; and  
5 declaring an emergency.

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

7 **Sec. 1.** RCW 28D.02.010 and 1996 c 137 s 2 are each amended to read  
8 as follows:

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

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

15 (a) The adoption of system goals and objectives and timelines for  
16 submission of the proposed plans under RCW 28D.02.030 through  
17 28D.02.050 and 28D.02.070 by June 1, 1996;

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

4 (c) The preparation and subsequent updates of a network design and  
5 implementation plan that includes locations to be served by the  
6 network, service delivery specifications, a network governance  
7 structure, other appropriate components, and a phased technical plan in  
8 accordance with RCW 28D.02.070(2). The plan shall be adopted after  
9 considering the recommendations of the information services board, the  
10 higher education coordinating board, and the superintendent of public  
11 instruction;

12 (d) The preparation of an implementation plan that prioritizes  
13 access to the network backbone and other telecommunication components;  
14 and

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

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

39 (4) This section expires June 30, 1998.

1        NEW SECTION.    **Sec. 2.**    (1) Governance of the K-20 educational  
2 telecommunications network is the responsibility of the higher  
3 education coordinating board, the superintendent of public instruction,  
4 and the information services board pursuant to the authorities granted  
5 to them under Titles 28B and 28A RCW, and chapter 43.105 RCW,  
6 respectively. The entities shall implement one or more joint operating  
7 agreements as set forth in RCW 39.34.080 to delineate their mutual  
8 responsibilities; however, the information services board shall not  
9 evaluate the merits of school curriculum, higher education course  
10 offerings, or other education or training programs proposed for  
11 transmission over the network. In the event that the entities cannot  
12 reach agreement on matters of interagency concern, they shall avail  
13 themselves of the processes set forth in RCW 43.17.320, 43.17.330, and  
14 43.17.340. The higher education coordinating board is encouraged to  
15 consult with the state board for community and technical colleges on  
16 matters concerning the K-20 network.

17        (2) The higher education coordinating board and the superintendent  
18 of public instruction shall prepare and submit to the governor and the  
19 legislature coordinated budget recommendations regarding the K-20  
20 network. In preparing these recommendations, the board and the  
21 superintendent of public instruction shall review, as necessary,  
22 information provided in the individual budget requests of the  
23 participating institutions over which they have oversight authority.

24        (3) In developing governance policies, the board and superintendent  
25 of public instruction should ensure that academic policy drives the  
26 technical development of the network.

27        (4) As used in this section, "governance" means responsibility for  
28 network programming, site selection, coordinated budget  
29 recommendations, and technology oversight.

30        NEW SECTION.    **Sec. 3.**    (1) The cross-sector network advisory  
31 committee is created to advise the higher education coordinating board,  
32 the superintendent of public instruction, and the information services  
33 board on K-20 educational telecommunications network technical and  
34 policy planning matters that require cross-sector coordination. Such  
35 matters shall include cross-sector network planning, including  
36 identification and resolution of cross-institution and cross-sector  
37 technical problems; cost issues; network growth; network usage,  
38 including policies on scheduling, identification, and resolution of

1 scheduling conflicts, and conflict resolution; network technical  
2 quality; advocacy and information; coordination of assessment and  
3 accountability information among network participants; and technical  
4 network management.

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

7 (a) The policy subcommittee shall be comprised of two provosts of  
8 public baccalaureate institutions appointed by the higher education  
9 coordinating board in consultation with the public higher education  
10 institutions; two members appointed by the state board for community  
11 and technical colleges; four representatives of K-12 education  
12 appointed by the superintendent of public instruction; the Washington  
13 state librarian or the librarian's designee; two representatives of  
14 independent higher education institutions appointed by the governor;  
15 and four public members, one of whom shall be appointed by each  
16 legislative caucus. The public members shall be citizens with an  
17 interest in K-20 education and technology, and shall not be  
18 legislators. All members serve at the pleasure of the appointing  
19 authorities;

20 (b) The technical subcommittee shall be comprised of equal numbers  
21 of postsecondary and K-12 representatives and four public members with  
22 technical expertise, appointed by the chair of the information services  
23 board; and one or more representatives of the department of information  
24 services, appointed by the director of the department of information  
25 services. At least one member of the technical subcommittee shall be  
26 a representative of the independent institutions of higher education.  
27 Members serve at the pleasure of the appointing authority. The  
28 specific duties of the technical subcommittee shall be determined by  
29 the information services board in coordination with the higher  
30 education coordinating board and the superintendent of public  
31 instruction.

32 (3) The cross-sector network advisory committee shall be convened  
33 and coordinated jointly by the higher education coordinating board and  
34 the superintendent of public instruction.

35 (4) Recommendations and requests from either subcommittee shall be  
36 distributed to the committee as a whole before submission to the higher  
37 education coordinating board, the office of the superintendent of  
38 public instruction, or the information services board.

1        NEW SECTION.    **Sec. 4.**    Staff and office support for the cross-  
2 sector network advisory committee shall be provided through the higher  
3 education coordinating board, the office of the superintendent of  
4 public instruction, and the department of information services.

5        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 43.131 RCW  
6 to read as follows:

7        The cross-sector network advisory committee and its powers and  
8 duties shall be terminated June 30, 2001, as provided in section 6 of  
9 this act.

10       NEW SECTION.    **Sec. 6.**    A new section is added to chapter 43.131 RCW  
11 to read as follows:

12       The following acts or part of acts, as now existing or hereafter  
13 amended, are each repealed, effective June 30, 2002:

14       (1) RCW 28D.02.--- and 1997 c -- s 2 (section 2 of this act); and

15       (2) RCW 28D.02.--- and 1997 c -- s 3 (section 3 of this act).

16       NEW SECTION.    **Sec. 7.**    Sections 2 through 4 of this act are each  
17 added to chapter 28D.02 RCW.

18       NEW SECTION.    **Sec. 8.**    Sections 2 and 3 of this act are necessary  
19 for the immediate preservation of the public peace, health, or safety,  
20 or support of the state government and its existing public  
21 institutions, and take effect July 1, 1997.

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