

2 **E2SSB 6705** - H AMD 504 ADOPTED 3-7-96

3 By Representative

4

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** The legislature recognizes that technology  
8 is an important tool in the preparation of an educated and  
9 knowledgeable work force and citizenry. The legislature supports the  
10 creation of a K-20 education network for the coordinated expansion of  
11 current technology and the development of new technologies that support  
12 an integrated and interoperable educational technology network serving  
13 kindergarten through higher education and promoting access for  
14 Washington citizens. The intent of the legislature is to significantly  
15 enhance the education system's ability to access telecommunications  
16 resources and to provide citizen access to quality primary, secondary,  
17 and postsecondary courses and degree programs state-wide through  
18 distance education. It is also the intent of the legislature that  
19 these services be a collaborative endeavor and that resources be used  
20 effectively. The development of a distance education system using  
21 technology will provide great opportunities for change in the delivery  
22 of educational services and deserves due deliberation and coordinated  
23 policy planning to ensure that the high standards of program quality  
24 and cost-efficient service are enhanced. The legislature finds that,  
25 in order to facilitate lifelong learning, educational technology  
26 systems must be coordinated among all educational sectors, with the  
27 other entities of federal, state, and local government, and be readily  
28 accessible to the general population of the state. It is the intent of  
29 the legislature to make maximum use of a common telecommunications  
30 backbone network in building and expanding education technology  
31 systems. Therefore, coordinated policy and planning to ensure program  
32 quality, interoperability, and efficient service delivery are the  
33 highest priority of the legislature.

34 NEW SECTION. **Sec. 2.** (1) The K-20 telecommunications oversight  
35 and policy committee is established to: Adopt policy goals and

1 objectives for a K-20 telecommunications system, adopt a network design  
2 and implementation plan, and authorize release of funds for network  
3 purposes.

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

6 (a) The adoption of system goals and objectives and timelines for  
7 submission of the proposed plans under sections 4 through 6 and 8 of  
8 this act by June 1, 1996;

9 (b) The authorization of the construction and acquisition of a  
10 network backbone upon its approval of phase one of a technical plan for  
11 the network as specified in section 8(1) of this act;

12 (c) The preparation and subsequent updates of a network design and  
13 implementation plan that includes locations to be served by the  
14 network, service delivery specifications, a network governance  
15 structure, other appropriate components, and a phased technical plan in  
16 accordance with section 8(2) of this act. The plan shall be adopted  
17 after considering the recommendations of the information services  
18 board, the higher education coordinating board, and the superintendent  
19 of public instruction.

20 (d) The preparation of an implementation plan that prioritizes  
21 access to the network backbone and other telecommunication components;  
22 and

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

25 (3) By April 15, 1996, the department of information services shall  
26 convene the committee. The committee shall include the following  
27 voting members or their designees: The governor; one member from each  
28 caucus of the senate, appointed by the president of the senate; one  
29 member from each caucus of the house of representatives, appointed by  
30 the speaker of the house of representatives; the superintendent of  
31 public instruction; the chair of the higher education coordinating  
32 board; and the chair of the information services board. On a nonvoting  
33 basis, the committee shall include the following members or their  
34 designees: One community college or technical college president,  
35 appointed by the state board for community and technical colleges; one  
36 president of a public baccalaureate institution, appointed by the  
37 council of presidents; the state librarian; one educational service  
38 district superintendent, one school district superintendent, and one  
39 representative of an approved private school, each appointed by the

1 superintendent of public instruction; one representative of independent  
2 nonprofit baccalaureate institutions, appointed by the Washington  
3 friends of higher education; and one representative of the computer or  
4 telecommunications industry, appointed by the information services  
5 board. The voting members must reach a consensus in approving the  
6 network design and implementation plan. The department shall provide  
7 staff support to the committee.

8 NEW SECTION. **Sec. 3.** The design and implementation plan for the  
9 K-20 telecommunication system shall: (1) Provide optimum geographic  
10 and social distribution of the benefits of a network; (2) minimize  
11 duplication of technology resources and education programs or degrees  
12 at public institutions of postsecondary education; (3) maximize  
13 existing networks and video telecommunications resources owned or  
14 operated by the state; (4) consider the benefits of purchasing  
15 additional hardware to expand the current telecommunications network  
16 versus leasing network services from the department of information  
17 services or from private sector providers; (5) foster partnerships  
18 among public, private, and nonprofit entities, including independent  
19 nonprofit baccalaureate institutions of higher education, libraries,  
20 and public hospitals; (6) ensure that each network site is designed to  
21 maximize utilization by the institutions of postsecondary education and  
22 public schools; (7) provide for future access by public entities on a  
23 no-cost or low-cost basis; and (8) ensure that the network can be  
24 expanded and upgraded, is based on an open-architecture model, and  
25 connects to national and world-wide information infrastructures.

26 NEW SECTION. **Sec. 4.** Within the timelines specified by the  
27 committee, the higher education coordinating board shall prepare and  
28 submit to the K-20 telecommunications oversight and policy committee a  
29 proposed location plan of higher education delivery sites proposed for  
30 connection to the K-20 education network. The development of the plan  
31 shall begin immediately. For each site proposed for connection to the  
32 network, the board shall recommend service delivery specifications that  
33 include, but need not be limited to, an assessment of community needs  
34 and programming and service levels that provide for effective use of  
35 network resources. The board shall prioritize the implementation of  
36 the proposed location plan. The board shall ensure that the proposed  
37 location plan adheres to the principles described in section 3 of this

1 act and the goals and objectives adopted by the committee under section  
2 2 of this act.

3 NEW SECTION. **Sec. 5.** Within timelines specified by the committee,  
4 the superintendent of public instruction shall prepare and submit to  
5 the K-20 telecommunications oversight and policy committee a proposed  
6 location plan of public education delivery sites proposed for  
7 connection to the K-20 education network. The development of the plan  
8 shall begin immediately. For each site proposed for connection to the  
9 network, the superintendent shall approve service delivery  
10 specifications that include, but need not be limited to, an assessment  
11 of community needs and programming and service levels that provide for  
12 effective use of network resources. The superintendent shall  
13 prioritize the implementation of the proposed location plan. The  
14 superintendent shall ensure that the proposed location plan adheres to  
15 the principles described in section 3 of this act and the goals and  
16 objectives adopted by the committee under section 2 of this act.

17 NEW SECTION. **Sec. 6.** Within timelines specified by the committee,  
18 the higher education coordinating board and the superintendent of  
19 public instruction shall recommend to the K-20 telecommunications  
20 oversight and policy committee network governance structure that  
21 ensures participation by all members of the network and, to the extent  
22 feasible, adheres to the goals and objectives adopted under section 2  
23 of this act.

24 NEW SECTION. **Sec. 7.** The K-20 technology account is hereby  
25 created in the state treasury. The department of information services  
26 shall deposit into the account all moneys received from legislative  
27 appropriations, gifts, grants, and endowments for the K-20  
28 telecommunication system. The account shall be subject to  
29 appropriation and may be expended solely for the K-20 telecommunication  
30 system approved by the committee under section 2 of this act.  
31 Disbursements from the account shall be on authorization of the  
32 director of the department of information services with approval of the  
33 committee under section 2 of this act.

34 NEW SECTION. **Sec. 8.** The information services board shall prepare  
35 a technical plan for the design and construction of the K-20

1 telecommunication system. The board shall ensure that the technical  
2 plan adheres to the principles described in section 3 of this act and  
3 the goals and objectives established by the committee under section 2  
4 of this act. The board shall provide formal project approval and  
5 oversight during the development and implementation of the K-20  
6 telecommunications network. In approving the plan, the board shall  
7 conduct a request for proposal process. The technical plan shall be  
8 developed in phases as follows:

9 (1) Phase one shall provide a telecommunication backbone connecting  
10 educational service districts, the main campuses of public  
11 baccalaureate institutions, the branch campuses of public research  
12 institutions, and the main campuses of community colleges and technical  
13 colleges.

14 (2) Phase two shall provide for (a) connection to the network by  
15 entities that include, but need not be limited to: School districts,  
16 public higher education off-campus and extension centers, branch  
17 campuses of community colleges and technical colleges, and independent  
18 nonprofit baccalaureate institutions, as prioritized by the  
19 telecommunications oversight and policy committee; and (b) distance  
20 education facilities and components for entities listed in subsections  
21 (1) and (2) of this section.

22 (3) Subsequent phases may include, but need not be limited to,  
23 connections to public libraries, state and local governments, community  
24 resource centers, and the private sector.

25 **Sec. 9.** RCW 28B.80.600 and 1990 c 208 s 9 are each amended to read  
26 as follows:

27 The higher education coordinating board shall provide state-wide  
28 coordination ~~((of video))~~ in telecommunications programming ~~((for the~~  
29 ~~public four-year higher education institutions))~~, location selection,  
30 meeting community needs, and development of a state-wide higher  
31 education telecommunications plan.

32 **Sec. 10.** RCW 43.105.032 and 1992 c 20 s 8 are each amended to read  
33 as follows:

34 There is hereby created the Washington state information services  
35 board. The board shall be composed of ~~((nine))~~ thirteen members.  
36 ~~((Seven))~~ Eight members shall be appointed by the governor, one of  
37 ~~((which))~~ whom shall be a representative of higher education, one of

1 ((which)) whom shall be a representative of an agency under a state-  
2 wide elected official other than the governor, and ((one)) two of  
3 ((which)) whom shall be ((a)) representatives of the private sector.  
4 One member shall represent the judicial branch and be appointed by the  
5 chief justice of the supreme court. ((One member shall represent the  
6 legislative branch and shall be selected by the president of the senate  
7 and the speaker of the house of representatives.)) One member shall be  
8 the superintendent of public instruction or shall be appointed by the  
9 superintendent of public instruction. One member shall represent the  
10 house of representatives and shall be selected by the speaker of the  
11 house of representatives; one member shall represent the senate and  
12 shall be appointed by the president of the senate. The representatives  
13 of the house of representatives and senate shall not be from the same  
14 political party. One member shall be the director who shall be a  
15 voting member of the board. These members shall constitute the  
16 membership of the board with full voting rights. Members of the board  
17 shall serve at the pleasure of the appointing authority. ((The  
18 director shall be an ex officio, nonvoting member of the board.)) The  
19 board shall select a chairperson from among its members.

20 Vacancies shall be filled in the same manner that the original  
21 appointments were made.

22 A majority of the members of the board shall constitute a quorum  
23 for the transaction of business.

24 Members of the board shall be compensated for service on the board  
25 in accordance with RCW 43.03.240 and shall be reimbursed for travel  
26 expenses as provided in RCW 43.03.050 and 43.03.060.

27 **Sec. 11.** RCW 43.105.041 and 1995 2nd sp.s. c 14 s 512 are each  
28 amended to read as follows:

29 The board shall have the following powers and duties related to  
30 information services:

31 (1) To develop standards governing the acquisition and disposition  
32 of equipment, proprietary software and purchased services, and  
33 confidentiality of computerized data;

34 (2) To purchase, lease, rent, or otherwise acquire, dispose of, and  
35 maintain equipment, proprietary software, and purchased services, or to  
36 delegate to other agencies and institutions of state government, under  
37 appropriate standards, the authority to purchase, lease, rent, or  
38 otherwise acquire, dispose of, and maintain equipment, proprietary

1 software, and purchased services: PROVIDED, That, agencies and  
2 institutions of state government, except as provided in RCW  
3 43.105.017(5) and section 507, chapter 14, Laws of 1995 2nd sp. sess.,  
4 are expressly prohibited from acquiring or disposing of equipment,  
5 proprietary software, and purchased services without such delegation of  
6 authority. The acquisition and disposition of equipment, proprietary  
7 software, and purchased services is exempt from RCW 43.19.1919 and, as  
8 provided in RCW 43.19.1901, from the provisions of RCW 43.19.190  
9 through 43.19.200. This subsection does not apply to the legislative  
10 branch;

11 (3) To develop state-wide or interagency technical policies,  
12 standards, and procedures;

13 (4) To review and approve standards and common specifications for  
14 new or expanded telecommunications networks proposed by agencies,  
15 public postsecondary education institutions, educational service  
16 districts, or state-wide or regional providers of K-12 information  
17 technology services, and to assure the cost-effective development and  
18 incremental implementation of a state-wide video telecommunications  
19 system to serve: Public schools; educational service districts;  
20 vocational-technical institutes; community colleges; colleges and  
21 universities; state and local government; and the general public  
22 through public affairs programming;

23 (5) To provide direction concerning strategic planning goals and  
24 objectives for the state. The board shall seek input from the  
25 legislature and the judiciary;

26 (6) To develop and implement a process for the resolution of  
27 appeals by:

28 (a) Vendors concerning the conduct of an acquisition process by an  
29 agency or the department; or

30 (b) A customer agency concerning the provision of services by the  
31 department or by other state agency providers;

32 (7) To establish policies for the periodic review by the department  
33 of agency performance which may include but are not limited to analysis  
34 of:

35 (a) Planning, management, control, and use of information services;

36 (b) Training and education; and

37 (c) Project management;

1 (8) To set its meeting schedules and convene at scheduled times, or  
2 meet at the request of a majority of its members, the chair, or the  
3 director; and

4 (9) To review and approve that portion of the department's budget  
5 requests that provides for support to the board.

6 **Sec. 12.** RCW 43.105.041 and 1990 c 208 s 6 are each amended to  
7 read as follows:

8 The board shall have the following powers and duties related to  
9 information services:

10 (1) To develop standards governing the acquisition and disposition  
11 of equipment, proprietary software and purchased services, and  
12 confidentiality of computerized data;

13 (2) To purchase, lease, rent, or otherwise acquire, dispose of, and  
14 maintain equipment, proprietary software, and purchased services, or to  
15 delegate to other agencies and institutions of state government, under  
16 appropriate standards, the authority to purchase, lease, rent, or  
17 otherwise acquire, dispose of, and maintain equipment, proprietary  
18 software, and purchased services: PROVIDED, That, agencies and  
19 institutions of state government are expressly prohibited from  
20 acquiring or disposing of equipment, proprietary software, and  
21 purchased services without such delegation of authority. The  
22 acquisition and disposition of equipment, proprietary software, and  
23 purchased services is exempt from RCW 43.19.1919 and, as provided in  
24 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200.  
25 This subsection does not apply to the legislative branch;

26 (3) To develop state-wide or interagency technical policies,  
27 standards, and procedures;

28 (4) To review and approve standards and common specifications for  
29 new or expanded telecommunications networks proposed by agencies,  
30 public postsecondary education institutions, educational service  
31 districts, or state-wide or regional providers of K-12 information  
32 technology services, and to assure the cost-effective development and  
33 incremental implementation of a state-wide video telecommunications  
34 system to serve: Public schools; educational service districts;  
35 vocational-technical institutes; community colleges; colleges and  
36 universities; state and local government; and the general public  
37 through public affairs programming;



1 (5) To provide direction concerning strategic planning goals and  
2 objectives for the state. The board shall seek input from the  
3 legislature and the judiciary;

4 (6) To develop and implement a process for the resolution of  
5 appeals by:

6 (a) Vendors concerning the conduct of an acquisition process by an  
7 agency or the department; or

8 (b) A customer agency concerning the provision of services by the  
9 department or by other state agency providers;

10 (7) To establish policies for the periodic review by the department  
11 of agency performance which may include but are not limited to analysis  
12 of:

13 (a) Planning, management, control, and use of information services;

14 (b) Training and education; and

15 (c) Project management;

16 (8) To set its meeting schedules and convene at scheduled times, or  
17 meet at the request of a majority of its members, the chair, or the  
18 director; and

19 (9) To review and approve that portion of the department's budget  
20 requests that provides for support to the board.

21 **Sec. 13.** RCW 43.105.170 and 1992 c 20 s 2 are each amended to read  
22 as follows:

23 (1) Each agency shall develop an agency strategic information  
24 technology plan which establishes agency goals and objectives regarding  
25 the development and use of information technology. The superintendent  
26 of public instruction shall develop its plan in conjunction with  
27 educational service districts and state-wide or regional providers of  
28 K-12 education information technology services. Plans shall include,  
29 but not be limited to, the following:

30 (a) A statement of the agency's mission, goals, and objectives for  
31 information technology;

32 (b) An explanation of how the agency's mission, goals, and  
33 objectives for information technology support and conform to the state  
34 strategic information technology plan developed under RCW 43.105.160;

35 (c) Projects and resources required to meet the objectives of the  
36 plan; and

37 (d) Where feasible, estimated schedules and funding required to  
38 implement identified projects.

1 (2) Plans developed under subsection (1) of this section shall be  
2 submitted to the department for review and forwarded along with the  
3 department's recommendations to the board for review and approval. The  
4 board may reject, require modification to, or approve plans as deemed  
5 appropriate by the board. Plans submitted under this subsection shall  
6 be updated and submitted for review and approval as necessary.

7 (3) Each agency shall prepare and submit to the department a  
8 biennial performance report. The superintendent of public instruction  
9 shall develop its plan in conjunction with educational service  
10 districts and state-wide or regional providers of K-12 education  
11 information technology services. The report shall include:

12 (a) An evaluation of the agency's performance relating to  
13 information technology;

14 (b) An assessment of progress made toward implementing the agency  
15 strategic information technology plan; and

16 (c) An inventory of agency information services, equipment, and  
17 proprietary software.

18 (4) The department, with the approval of the board, shall establish  
19 standards, elements, form, and format for plans and reports developed  
20 under this section.

21 (5) The board may exempt any agency from any or all of the  
22 requirements of this section.

23 **Sec. 14.** RCW 43.105.180 and 1992 c 20 s 3 are each amended to read  
24 as follows:

25 Upon request of the office of financial management, the department  
26 shall evaluate agency budget requests for major information technology  
27 projects identified under RCW 43.105.190, including those proposed by  
28 the superintendent of public instruction, in conjunction with  
29 educational service districts, or state-wide or regional providers of  
30 K-12 education information technology services. The department shall  
31 submit recommendations for funding all or part of such requests to the  
32 office of financial management.

33 The department, with the advice and approval of the office of  
34 financial management, shall establish criteria for the evaluation of  
35 agency budget requests under this section. Criteria shall include, but  
36 not be limited to: Feasibility of the proposed projects, consistency  
37 with state and agency strategic information technology plans,  
38 consistency with agency goals and objectives, costs, and benefits.

1       **Sec. 15.** RCW 43.105.190 and 1992 c 20 s 4 are each amended to read  
2 as follows:

3       (1) The department, with the approval of the board, shall establish  
4 standards and policies governing the planning, implementation, and  
5 evaluation of major information technology projects, including those  
6 proposed by the superintendent of public instruction, in conjunction  
7 with educational service districts, or state-wide or regional providers  
8 of K-12 education information technology services. The standards and  
9 policies shall:

10       (a) Establish criteria to identify projects which are subject to  
11 this section. Such criteria shall include, but not be limited to,  
12 significant anticipated cost, complexity, or state-wide significance of  
13 the project; and

14       (b) Establish a model process and procedures which agencies shall  
15 follow in developing and implementing project plans. Agencies may  
16 propose, for approval by the department, a process and procedures  
17 unique to the agency. The department may accept or require  
18 modification of such agency proposals or the department may reject such  
19 agency proposals and require use of the model process and procedures  
20 established under this subsection. Any process and procedures  
21 developed under this subsection shall require (i) distinct and  
22 identifiable phases upon which funding may be based, (ii) user  
23 validation of products through system demonstrations and testing of  
24 prototypes and deliverables, and (iii) other elements identified by the  
25 board.

26       Project plans and any agreements established under such plans shall  
27 be approved and mutually agreed upon by the director, the director of  
28 financial management, and the head of the agency proposing the project.

29       The director may terminate a major project if the director  
30 determines that the project is not meeting or is not expected to meet  
31 anticipated performance standards.

32       (2) The office of financial management shall establish policies and  
33 standards governing the funding of projects developed under this  
34 section. The policies and standards shall provide for:

35       (a) Funding of a project under terms and conditions mutually agreed  
36 to by the director, the director of financial management, and the head  
37 of the agency proposing the project. However, the office of financial  
38 management may require incremental funding of a project on a phase-by-  
39 phase basis whereby funds for a given phase of a project may be

1 released only when the office of financial management determines, with  
2 the advice of the department, that the previous phase is satisfactorily  
3 completed;

4 (b) Acceptance testing of products to assure that products perform  
5 satisfactorily before they are accepted and final payment is made; and

6 (c) Other elements deemed necessary by the office of financial  
7 management.

8 (3) The department shall evaluate projects at three stages of  
9 development as follows: (a) Initial needs assessment; (b) feasibility  
10 study including definition of scope, development of tasks and  
11 timelines, and estimated costs and benefits; and (c) final project  
12 implementation plan based upon available funding.

13 Copies of project evaluations conducted under this subsection shall  
14 be submitted to the office of financial management and the chairs,  
15 ranking minority members, and staff coordinators of the appropriations  
16 committees of the senate and house of representatives.

17 NEW SECTION. **Sec. 16.** Sections 1 through 8 of this act shall  
18 constitute a new chapter in Title 28D RCW.

19 NEW SECTION. **Sec. 17.** Section 11 of this act expires June 30,  
20 1997.

21 NEW SECTION. **Sec. 18.** Section 12 of this act shall take effect  
22 June 30, 1997.

23 NEW SECTION. **Sec. 19.** Sections 1 through 11 and 13 through 15 of  
24 this act are necessary for the immediate preservation of the public  
25 peace, health, or safety, or support of the state government and its  
26 existing public institutions, and shall take effect immediately.

27 NEW SECTION. **Sec. 20.** Nothing in this act shall prevent the  
28 ongoing maintenance and operation of existing telecommunications and  
29 information systems or programs."

1 **E2SSB 6705** - H AMD  
2 By Representative

3  
4 On page 1, line 2 of the title, after "technology;" strike the  
5 remainder of the title and insert "amending RCW 28B.80.600, 43.105.032,  
6 43.105.041, 43.105.041, 43.105.170, 43.105.180, and 43.105.190; adding  
7 a new title to the Revised Code of Washington to be codified as Title  
8 28D RCW; creating a new section; providing an effective date; providing  
9 an expiration date; and declaring an emergency."

--- END ---