

SENATE BILL REPORT

SSB 5002

As Passed Senate, February 24, 1997

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: 1/23/97, 1/27/97 [DPS].
Passed Senate, 2/24/97, 38-9.

SENATE COMMITTEE ON HIGHER EDUCATION

Majority Report: That Substitute Senate Bill No. 5002 be substituted therefor, and the substitute bill do pass.

Signed by Senators Wood, Chair; Winsley, Vice Chair; Bauer, Hale, Kohl, Patterson, Prince, Sheldon and West.

Staff: Jean Six (786-7423)

Background: In 1996, the Washington State Legislature created the K-20 Network to link schools, community colleges, technical colleges, universities, and others for the purpose of enhancing student access to quality educational courses through distance education.

The 1996 legislation directed the Higher Education Coordinating Board (HECB) and the Office of the Superintendent of Public Instruction (OSPI) to jointly recommend a network governance structure for the network. On September 30, 1996, the Telecommunications Oversight and Policy Committee (TOPC) approved, by a 6-2 vote, a jointly recommended governance plan that leaves intact the statutory authority of the HECB and OSPI over educational programs. The TOPC-approved document also recommended that the Department of Information Services (DIS) handle the technical management and operations of the K-20 Network, and that the Information Services Board (ISB) retain oversight responsibilities for the K-20 Network just as it has for the other information technologies under current statute.

Summary of Bill: The Cross-sector Network Advisory Committee (CNAC) begins work on July 1, 1997.

A governance structure reflecting the TOPC recommendation is proposed. Governance is defined as responsibility for network programming, site selection, coordinated budget recommendations, and technology oversight.— The HECB, in consultation with the State Board for Community and Technical Colleges (SBCTC), OSPI, and the ISB must implement

one or more joint operating agreements for the governance of the network. Agreements are to ensure that academic policy drives the technical development of the network.

The existing statutory responsibilities of the HECB, SBCTC, and OSPI are maintained: program planning and approval, budget recommendations to the Legislature, and dispute resolution. The ISB is responsible for oversight and approval of major technology projects and purchases.

The CNAC advises the governance partners on technical and policy planning matters that require cross-sector coordination. The CNAC includes both technical and academic planning personnel and is composed of two subcommittees. **The technical subcommittee** is comprised of equal numbers of K-12 and postsecondary representatives; four public members with technical expertise, appointed by the chair of ISB; and at least one representative of DIS, appointed by the DIS director. At least one member is a representative of the independent higher education institutions. **The policy subcommittee** is comprised of two provosts from the public baccalaureate institutions appointed by the HECB in consultation with the public institutions of higher education; two members appointed by the SBCTC; 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 four public members, one of whom is appointed by the leadership of each legislative caucus. The public members are not legislators. All members of both subcommittees serve at the pleasure of the appointing authorities.

Staff and office support for the CNAC are provided through the Higher Education Coordinating Board, the Office of the Superintendent of Public Instruction and the Department of Information Services. The CNAC statutes are repealed, effective June 30, 2002.

Appropriation: None.

Fiscal Note: Requested on January 16, 1997.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The fact that Washington has uniquely collaborative education sectors leads to the opportunity for joint operating agreements to govern the K-20 network avoiding the creation of any new layers of bureaucracy. Users are integrally involved with planning and will be held accountable. The six baccalaureate institutions support this cooperation among all users including CTCs and K-12. The SBCTC agrees that the joint operating agreements will maximize state resources. OSPI recognizes the great potential for improving and expanding student learning opportunities through this statewide network. DIS will continue providing technical support to the network.

The governance structure uses currently existing statutory responsibilities in a collaborative way allowing higher education institutions and K-12 institutions to bring already operating technology systems to the network.

Testimony Against: None.

Testified: PRO: Senator Jeannette Wood, prime sponsor; Senator Al Bauer; Marc Gaspard, Katrina Meyer, HECB; President Karen Morse, WWU; Terry Teale, COP; Mike Scroggins, SBCTC; Norm Wisener, ESDs, WASA; Karen Davis, WEA; Todd Sander, DIS, for Hunter Simpson, ISB; Jean Ameluxen, OSPI; Susan Patrick, HECB; Superintendent Terry Bergeson.

House Amendment(s): 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 consists of six voting members appointed by the Governor with the consent of the Senate. Two of the members are citizens; the other four members are 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 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 implements policies for the development, operation, and expansion of the network and submits a coordinated network budget. The committee oversees 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, Superintendent of Public Instruction, and the Information Services Board. The committee also approves 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 are to cover are described. The C-NAC includes both technical and academic planning personnel and is composed of two subcommittees.

Initially, the technical subcommittee is comprised of equal numbers of K-12 and postsecondary representatives including four public members with technical expertise appointed by the chair of 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 is a representative of the independent higher education institutions and one is 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 is 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 are not 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 houses 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 assumes 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.