

HOUSE BILL ANALYSIS

HB 2234

Brief Description: Changing K-20 telecommunications governance.

Brief Summary of Bill

- Creating the K20 network user steering committee within the Information Services Board as replacement for the Telecommunications Oversight and Policy Committee (TOPC).

Background

The 1996 Legislature approved the creation of a telecommunications network to serve distance learning, internet access, data transmission, and other telecommunications needs of various public and private organizations in Washington (E2SSB 6705). The network was to be developed in phases and to include:

Phase 1: A backbone connecting K-12 educational service districts (ESD), the main campuses of public baccalaureate institutions, the branch campuses of the University of Washington and Washington State University, and the main campuses of community and technical colleges.

Phase 2: Connection to the network by (i) K-12 school districts, public higher-education off-campus and extension centers, branch campuses of community and technical colleges, and independent non-profit baccalaureate institutions, and (ii) distance education facilities and components for entities wired in Phase 1 and 2.

Phase 3 and beyond: Providing connections to other entities determined by the TOPC. These may include public libraries, state and local governments, community resources centers, and the private sector.

Governance of the K20 Network

Section 2 of E2SSB 6705 established the TOPC to adopt policy goals and objectives for the K20 telecommunications system, to adopt a network design and implementation plan, and to authorize release of funds for network purposes.

There are 8 voting members of TOPC (or their designees):

- The Governor,
- One member from each caucus of the Senate, appointed by the president of the Senate,
- One member from each caucus of the House of Representatives, appointed by the speaker of the House of Representatives,
- The Superintendent of Public Instruction (SPI),
- The chair of the Higher Education Coordinating Board (HECB), and
- The chair of the Information Services Board (ISB)

There are also 8 non-voting members of TOPC (or their designees):

- A community/technical college president, appointed by the State Board for Community and Technical Colleges (SBCTC),
- The president of a public baccalaureate institution, appointed by the Council of Presidents (COP),
- The State Librarian,
- A superintendent of an ESD, appointed by OSPI,
- A school district superintendent, appointed by OSPI,
- A private school representative, appointed by OSPI,
- A representative of an independent non-profit baccalaureate institutions, appointed by the Washington Friends of Higher Education, and
- A representative of the computer/telecommunications industry appointed by ISB

Duties of the ISB and Department of Information Services (DIS)

The ISB is required to provide recommendations to the TOPC on network design and planning, to name the computer industry representative to TOPC, to plan, review and approve the K20 construction technical plan, to serve as a member of TOPC, and to provide project oversight. The ISB established a technical working group to provide recommendations to the ISB regarding design, planning and construction of the network. The DIS is responsible to convene and staff TOPC and to authorize disbursements for the network.

Status of network development

The TOPC has adopted a network use policy designating K-20 as an educational network. Following enactment of the K20 network enabling legislation, the federal government announced the establishment of a new program to provide funding to states for public K12 internet connections (known as e-rate-). Current Federal Communications Commission rules do not allow public schools to receive e-rate funds if they participate in consortia that are not exclusively comprised of public education users. K-20 connections have not been provided beyond public education sites. K-20 Phase 1 development and

implementation are complete, and the portion of Phase 2 that provides connections to public K-12 and higher education sites is nearly finished.

Summary of the Bill:

The ISB is charged with the responsibility to govern, operate and oversee the K-20 network. Duties include establishing and implementing network policy, budget request preparation including review of K-20 budget requests submitted jointly by the educational sectors, and user/provider dispute resolution. The ISB shall delegate general operational and technical oversight to the K-20 Network User Steering Committee. The ISB has rule-making authority for the K-20 network.

The K-20 Network User Steering Committee is established and shall have general operational and technical oversight over the K-20 network. The committee shall have seven voting members:

- The Executive Director, HECB,
- The Superintendent of Public Instruction,
- The Executive Director, SBCTC,
- A representative of an ESD, appointed by the ESDs,
- A representative of baccalaureate institutions, appointed by COP,
- A representative of the computer or telecommunications industry, appointed by the governor, and
- A representative of the DIS, appointed by the director

With the exception of the industry representative, each voting member may designate an appointee.

A representative of the organization that operates the K-20 network is named as a non-voting member. The ISB may name additional non-voting members. The committee shall select a chair from among its members.

Independent nonprofit institutions of higher education shall be connected to the network if the ISB determines that connection will not jeopardize the state's ability to receive Federal e-rate funds. Phase 3 network connections specified in E2SSB 6705 (public libraries, state and local governments, community resource centers and the private sector) are eliminated.

Actions of the TOPC shall remain in effect. The ISB is not intended to duplicate statutory responsibilities of the network users. The DIS shall maintain the K-20 operations cooperative, which is responsible for day-to-day network operations. The DIS shall dedicate at least one full-time staff position to support the K-20 Network User Steering Committee.

Effective Date: The bill contains an emergency clause and takes effect July 1, 1999.

Fiscal Note: Requested on February 23, 1999.