

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 157

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE IDAHO EDUCATION NETWORK; AMENDING CHAPTER 1, TITLE  
 2 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-125A, IDAHO  
 3 CODE, TO PROVIDE DUTIES OF THE STATE SUPERINTENDENT OF PUBLIC  
 4 INSTRUCTION AND THE STATE DEPARTMENT OF EDUCATION REGARDING  
 5 THE IDAHO EDUCATION NETWORK; AND AMENDING SECTION 67-5745D,  
 6 IDAHO CODE, TO REMOVE CERTAIN DUTIES OF THE STATE DEPARTMENT  
 7 OF EDUCATION, TO PROVIDE CERTAIN DEPARTMENT OF ADMINISTRATION  
 8 DUTIES AND TO PROVIDE FOR STATE DEPARTMENT OF EDUCATION  
 9 POLICIES.  
 10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Chapter 1, Title 33, Idaho Code, be, and the same is hereby amended  
 13 by the addition thereto of a NEW SECTION, to be known and designated as Section 33-125A,  
 14 Idaho Code, and to read as follows:

15 33-125A. IDAHO EDUCATION NETWORK – DUTIES OF THE STATE  
 16 SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE STATE DEPARTMENT  
 17 OF EDUCATION. (1) Under the direction of the state superintendent of public instruction, the  
 18 state department of education shall:

19 (a) Coordinate with the state board of education and school districts to distribute  
 20 telecourses, teleconferences and other instructional and training services to and between  
 21 public schools;

22 (b) Coordinate with the state board of education and institutions of higher education to  
 23 distribute college credit telecourses, teleconferences and other instructional and training  
 24 services;

25 (c) Act as a clearinghouse for the materials, courses, publications and other applicable  
 26 information related to the requirements of this section; and

27 (d) Coordinate all e-rate funding applications for Idaho’s school districts and implement  
 28 e-rate funds through the department of administration for related services provided under  
 29 the purview of the Idaho education network (IEN).

30 (2) (a) The superintendent of public instruction shall appoint an Idaho education network  
 31 program and resource advisory council (IPRAC) made up of representatives from public  
 32 and higher education, state government and the private sector to advise and assist the  
 33 department of education in performing its duties pursuant to this section and section  
 34 67-5745D, Idaho Code.

35 (b) The superintendent of public instruction shall determine the number of persons  
 36 necessary to provide the assistance required from the IPRAC. Members of the IPRAC  
 37 shall be selected for their knowledge of education curricula, content, professional  
 38 training and such other issues that may be essential for the productive delivery of

1 education resources to schools throughout the state utilizing the IEN for the benefit and  
 2 enhancement of the education system statewide. Persons appointed may be from the  
 3 public or private sector and shall possess special knowledge in the areas of need for the  
 4 successful operation and management of the IEN.

5 (c) The superintendent of public instruction shall, in consultation with the department  
 6 of administration, establish a technical subcommittee of the IPRAC, to be co-chaired by  
 7 the chief information officer of the department of administration, or his designee, and a  
 8 person currently employed in a related public or higher education technology function,  
 9 to advise and assist the department of administration in the technical development and  
 10 operation of the IEN as required pursuant to section 67-5745D, Idaho Code. Members  
 11 of the technical subcommittee shall be selected for their knowledge and experience in the  
 12 development and technology necessary for the procurement and/or ongoing operation of a  
 13 network that will enable the delivery of educational materials and resources, as provided  
 14 in this section and section 67-5745D, Idaho Code.

15 (d) The superintendent of public instruction may establish other subcommittees to  
 16 provide specific assistance to the department of administration or the department of  
 17 education, as may be deemed expedient and necessary for such purpose.

18 (e) Membership on the technical or any other subcommittee is not limited to the  
 19 members of the IPRAC. Members of the IPRAC or any associated subcommittee shall  
 20 not be compensated for service as such member, but shall receive per diem and travel  
 21 allowance as provided for state employees, in such amount as is provided for in section  
 22 67-2008, Idaho Code.

23 SECTION 2. That Section 67-5745D, Idaho Code, be, and the same is hereby amended  
 24 to read as follows:

25 67-5745D. IDAHO EDUCATION NETWORK. (1) The legislature finds that:

26 (a) Idaho does not have a statewide coordinated and funded high-bandwidth education  
 27 network;

28 (b) Such a network will enable required and advanced courses, concurrent  
 29 enrollment and teacher training to be deliverable to all public high schools through  
 30 an efficiently-managed statewide infrastructure; and

31 (c) Aggregating and leveraging demand at the statewide level will provide overall  
 32 benefits and efficiencies in the procurement of telecommunications services, including  
 33 high-bandwidth connectivity, internet access, purchases of equipment, federal subsidy  
 34 program expertise and other related services.

35 (2) As used in this section, "Idaho Education Network (IEN)" means the coordinated,  
 36 statewide telecommunications distribution system for distance learning for each public school,  
 37 including two-way interactive video, data, internet access and other telecommunications  
 38 services for providing distance learning. The term also includes connections to each institution  
 39 of higher education and other locations as necessary to facilitate distance education, teacher  
 40 training and other related services.

41 (3) The department of administration shall provide administrative oversight for IEN.

42 (4) In performing the duties under this section, the department of administration shall  
 43 consider the following goals to ensure that:

44 (a) Idaho will utilize technology to facilitate comparable access to educational  
 45 opportunities for all students;

1 (b) Idaho will be a leader in the use of technology to deliver advanced high school  
2 curricula, concurrent college credit, and ongoing teacher training on an equitable basis  
3 throughout the state; and

4 (c) Idaho will leverage its statewide purchasing power for the IEN to promote private  
5 sector investment in telecommunications infrastructure that will benefit other technology  
6 applications such as telemedicine, telecommuting, telegovernment and economic  
7 development.

8 (5) In performing the duties under this section, subject to the availability of funds, the  
9 department of administration shall:

10 (a) Coordinate the development, outsourcing and implementation of a statewide network  
11 for education, which shall include high-bandwidth connectivity, two-way interactive video  
12 and internet access, using primarily fiber optic and other high-bandwidth transmission  
13 media;

14 (b) Consider statewide economic development impacts in the design and implementation  
15 of the educational telecommunications infrastructure;

16 (c) Coordinate and support the telecommunications needs, other than basic voice  
17 communications of public education;

18 (d) Procure high-quality, cost-effective internet access and appropriate interface  
19 equipment to public education facilities;

20 (e) Procure telecommunications services and equipment on behalf of public education;

21 (f) Procure and implement technology and equipment for the delivery of distance  
22 learning;

23 (g) In conjunction with the state department of education, apply for state and federal  
24 funding for technology on behalf of IEN services;

25 (h) Procure telecommunications services and equipment for the IEN through an open and  
26 competitive bidding process;

27 (i) Work with the private sector to deliver high-quality, cost-effective services statewide;  
28 and

29 (j) Cooperate with state and local governmental and educational entities and provide  
30 leadership and consulting for telecommunications for education.

31 (6) The department of administration shall follow an implementation plan that:

32 (a) In the first phase, will connect each public high school with a scalable,  
33 high-bandwidth connection, including connections to each institution of higher education  
34 as necessary, thereby allowing any location on IEN to share educational resources with  
35 any other location;

36 (b) Upon completion of the first phase, shall provide that each public high school will be  
37 served with high-bandwidth connectivity, internet access and equipment in at least one (1)  
38 two-way interactive video classroom; and

39 (c) In subsequent phases, will evaluate and make recommendations to the legislature for:

40 (i) Connectivity to each elementary and middle school;

41 (ii) The addition of libraries to the IEN; and

42 (iii) The migration of state agency locations from current technology and services.

43 ~~(7) Under the direction of the state superintendent of public instruction, the state~~  
44 ~~department of education shall:~~

1 ~~(a) Coordinate with the state board of education and school districts to distribute~~  
2 ~~telecourses, teleconferences and other instructional and training services to and between~~  
3 ~~public schools;~~

4 ~~(b) Coordinate with the state board of education and institutions of higher education to~~  
5 ~~distribute college credit telecourses, teleconferences and other instructional and training~~  
6 ~~services;~~

7 ~~(c) Act as a clearinghouse for the materials, courses, publications and other applicable~~  
8 ~~information related to the requirements of this section; and~~

9 ~~(d) Coordinate all e-rate funding applications for Idaho's school districts and implement~~  
10 ~~e-rate funds, through the department of administration, for related services provided under~~  
11 ~~the purview of the IEN. The department of administration shall, in its administration of~~  
12 ~~the provisions of this section, comply with all provisions of federal law and regulations~~  
13 ~~necessary to obtain and maintain qualification of the IEN and its participating schools in~~  
14 ~~order to enable receipt of federal universal service support funding and the federal e-rate~~  
15 ~~discount program for schools and libraries including, but not limited to, maintenance of~~  
16 ~~the IEN as a separate and distinct network to the extent necessary to obtain and maintain~~  
17 ~~such qualification.~~

18 (8) Educational institutions served by the IEN shall manage site operations under  
19 policies established by the department of administration and the state department of education.

20 (9) Idaho education network fund. There is hereby created in the state treasury the  
21 Idaho education network fund. Moneys in the fund shall consist of funds received from state  
22 appropriations, grants, federal moneys, donations or funds from any other source. Moneys in  
23 the fund may be expended, pursuant to appropriation, for implementation and ongoing costs  
24 of the Idaho education network. The treasurer shall invest all idle moneys in the fund. Any  
25 interest earned on the investment of idle moneys shall be returned to the fund.