

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Karin Brownlee at 8:30 A.M. on March 7, 2007 in Room 123-S of the Capitol.

All members were present except:  
Roger Reitz- excused

Committee staff present:  
Amy Deckard, Kansas Legislative Research Department  
Mary Gillian, Kansas Legislative Research Department  
Jason Long, Revisor of Statutes  
Jackie Lunn, Committee Assistant

Conferees appearing before the committee:  
Hal Gardner, Kan-Ed

Others attending:  
See attached list.

**SB 148--KAN-ED act; department of corrections; department of health and environment**

Chairperson Brownlee introduced Hal Gardner. Mr. Gardner presented written copy. (Attachment 1) He stated he would be introducing the Calence network design team who worked with KanWIN, KanREN, and Kan-ed to produce an in-depth analysis of the three network's potential for consolidation, along with specific recommendations coming out of their study as requested by the Oversight Committee on December 4, 2006. He referred the Committee's attention to Copies of the full *State of Kansas Network Consolidation Feasibility Study*, (On file); a copy of a letter to Chairperson Brownlee regarding one district's experience with getting connected to the Kan-ed network. (Attachment 2), *2006 Kan-ed Funding Opportunities Preliminary Impact Data* from evaluation team, (Attachment 3); and draft copies of recommended language for **SB 148**; (Attachment 4).

Mr. Gardner introduced Mr. Terence Ford with the Calence network design team to review the *State of Kansas Network Consolidation Feasibility Study* which can be found on the Kan-ed website or on file in the Kan-ed offices. Mr. Terence reviewed the report for the Committee closing with the following recommendations:

- Develop consistent network specifications, standards and best practice guidelines for interconnections between the three networks
- Develop consistent network specifications, standards and proven technology solutions to enable consolidation of network backbones.
- Partner with service providers to develop clearly defined technical specifications on how they should interconnect to Kan-Ed
- Consolidate Kan-Ed backbone NAP's where traffic and service provider peering points are not cost justified
- Migrate Kan-Ed backbone to KDOT dark fiber
- Enhance, secure and consolidate existing peering points to facilitate ubiquitous access to the resources available on each individual network.
- Leverage peering points to establish a utility model for shared services across the three networks
- Develop standards and best practice guidelines on Quality of Service (QoS) policies implemented across the three networks
- Develop standards and best practice guidelines on Multicast policies implemented across the three

CONTINUATION SHEET

MINUTES OF THE Senate Commerce Committee at 8:30 A.M. on March 7, 2007 in Room 123-S of the Capitol.

networks

- Enhance the enterprise strategy for delivering rich media across the three networks using cost effective, next generation technologies
- Capture data flows at all critical network touch points to ensure changes do not impact services, applications or other portions of the network
- Migrate Kan-Ed Network Operations and Support to KanWIN to achieve operational economics
- Audit existing carrier service contracts, billing services and operational processes to achieve savings opportunities

Upon the completion of the review, questions and discussion followed. The Committee has several concerns regarding why the Kan-Ed Network does not have a uniform platform and why utilization of the network is so low, 3% according to the report.

During the discussion, Chairperson Brownlee called the Committee's attention to the written testimony form Phil Elliott, Director of Technology, Spring Hill Schools, USD 230 (Attachment 5) regarding the difficulties Spring Hill Schools and other school districts are having getting connected to the Kan-Ed Network.

Senator Schodorf stated the Wichita Schools are on the Kan-Ed network and are having great success. The Committee feels that the Kan-Ed Network is not being used as it should be.

Chairperson Brownlee stated the statute indicated that not less than 75% of schools, libraries and hospitals that have applied to the Board should have access to the Kan-Ed Network by July 1, 2004. Discussion followed. Several of the Committee members expressed extreme frustration with the situation of the Kan-Ed Network not meeting its deadline and the lack of progress.

Chairperson Brownlee stated she had emailed Mr. Gardner asking that Kan-Ed not provide grants to "members" this year. She also stated Kan-Ed needs to figure out how to get the libraries and schools connected physically to the Kan-Ed Network. As far as **SB 148** to add the Department of Corrections and KDHE to the Kan-Ed network, the Committee will work on that.

Written only testimony was received by Chris Tilden, Director, Office of Local and Rural Health, Department of Health and Environment. (Attachment 6)

Chairperson Brownlee adjourned the meeting at 9:30 a.m. with the next scheduled meeting March 8<sup>th</sup> at 8:30 a.m. in room 123 S.

# Senate Commerce Committee

## Guest List

Date: March 7, 2007

Hal Gardner	kan-ed
John Casebeer	Calence
Scott Shoemaker	Calence
Terence Ford	Calence
Charniel Chambers	Kan-ed
Mike DeLoach	Training Station
Jim [unclear]	K-Stat. - OEIE
Bruce Veiner	Empire State Univ - KANREN Board Chair
Dennis Moore	CITO
Don Murray	KCTA
DOUG HEACOCK	KANREN
Mit Winter	AT&T
Howard Smith	PITTSBURG STATE UNIVERSITY
JENNIE ROSE	KACCT
Jesse Romo	KDOT
MARK BORANYAK	CAPITOL STRATEGISTS
Ted Warner	KSCONS. CONSULTING
Chad Giles	KTLA
Jim Garlauer	AT&T
DINA FISK	VERIZON



# KANSAS BOARD OF REGENTS

1000 SW JACKSON • SUITE 510 • TOPEKA, KS 66612-1368

TELEPHONE – 785-296-0843

FAX – 785-296-7052

[www.kansasregents.org](http://www.kansasregents.org)

[www.kan-ed.org](http://www.kan-ed.org)

## Kan-ed

Senate Commerce Committee  
March 7, 2007  
Network Consolidation and Feasibility Study

Good morning Madam Chair and members of the committee. This morning I will introduce members of the *Calence* network design team who have worked with KanWIN, KanREN, and Kan-ed to produce an in-depth analysis of the three network's potential for consolidation, along with specific recommendations coming out of that study as requested by the Oversight Committee on December 4, 2006. Your packets include copies of the full *Calence* report. I have also provided you with a copy of a letter to Chairwoman Brownlee about one district's experience with getting connected to the Kan-ed network.

In addition, we have provided you with draft copies of recommended amendments to current statutory language that will eliminate barriers to accomplishing what is recommended in the feasibility study, again as requested by the Oversight Committee.

Other legislation pending before the Senate and the House are Senate Bill 148, and House Bill 2194. Together, the bills introduce amendments to the Kan-ed statute that would allow for connection to the Kan-ed network by the Kansas Department of Corrections and the Kansas Department of Health and Environment. Kan-ed staff agrees that these amendments bring appropriate technologies such as Interactive Distance Learning and Video Conferencing to these groups. Further, we believe they can benefit not only from the technology, but from the collaborative relationships that can be formed with our current constituents that the technology makes possible.

I have found in my discussions with legislators that there are competing versions about what Kan-ed's mission is. As a consequence, I want to re-state that mission and how Kan-ed moves the network along that path.

The Kan-ed mission is to *support Libraries, K-12 Schools, and Higher Education and Hospitals by assisting with access to commercial Internet resources, providing access to private network resources for distance learning and applications, and providing access to other Internet technologies and technology services.* We do that by providing or assisting with access to broadband by all members of Kan-ed; and access to the Kan-ed backbone (Intranet) by those schools, hospitals, and libraries wishing to have such access (connectivity).

At this time it is my pleasure to introduce the Calence Team. They are represented this morning by Terence Ford, John Casebeer, and Scott Shoemaker. We will take questions at the conclusion of the report.

Senate Commerce Committee

March 7, 2007

Attachment 1



# KANSAS BOARD OF REGENTS

1000 SW JACKSON • SUITE 520 • TOPEKA, KS 66612-1368

TELEPHONE – 785-296-3421  
FAX – 785-296-0983  
www.kansasregents.org

March 6, 2007

Honorable Karin Brownlee  
Senator, Kansas Statehouse  
121-E, Statehouse

Senator, I wanted to be sure that you had some recap of my conversation with Phil Elliott at USD 230, Spring Hill prior to our report to your committee tomorrow morning.

Phil described to me concerns going back over the past three to four years expressing frustration at not being able to connect the Spring Hill district to the Kan-ed network. This, despite what he and others were hearing at state meetings where Kan-ed was described as meeting the connectivity needs of schools when a district asked for such service. He was being told by the telecommunications provider in his area, that he could connect to Kan-ed, but that it would require a separate circuit and a cost of about \$1000 per month. What was desired was a single integrated solution that would provide for seamless connectivity using the district's existing infrastructure without adding an additional circuit. In telecommunications parlance, this identifies what is known as Layer 3, describing routing within and between individual networks.

The resolution to this problem is contained in part, in the report that we will hear tomorrow morning. The telecommunications provider (AT&T), as we understand, has been unsure of the direction Kan-ed would be going with specific standards for such connectivity, and was reluctant to move in one direction or another until this consolidation study was complete.

In the mean time, I have spoken further with Eldon Rightmeier about measures that could be taken to accomplish what Phil is wanting for his district. I will keep you posted on what comes out of those conversations between AT&T and our technical staff at DISC and KanREN.

I know how very difficult it is to remain patient with this process Senator, I will do all that I can to accelerate it through these steps.

Thank you again for your continued leadership.

All the best,

  
Hal Gardner  
Executive Director, Kan-ed

cc: Reginald L. Robinson, CEO and President

Senate Commerce Committee

March 7, 2006

Attachment 2



March 5, 2007

Hal Gardner  
Kan-Ed, Executive Director  
1000 SW Jackson, Suite 510  
Topeka, KS 66612

Office of Educational  
Innovation and Evaluation  
College of Education  
2323 Anderson Avenue, Suite 220  
Manhattan, KS 66502  
785-532-5930  
Fax: 785-532-7185  
Web: [www.ksu.edu/oeie](http://www.ksu.edu/oeie)  
E-mail: [oeie@ksu.edu](mailto:oeie@ksu.edu)

Dear Director Gardner:

As part of the on-going evaluation, and in accordance with the statutory requirements for Kan-ed, our office has been conducting annual interviews with Kan-ed Members regarding the various 2006 funding programs. The purpose of these interviews is to identify the impact these funds have had on the institutions, their constituencies, and in their surrounding communities.

Attached to this letter are the preliminary results from these interviews organized by constituent groups (e.g. K-12 districts, higher education, hospitals, and libraries), and by geographic region. As you know, the March Project Status Report is due March 30, 2007; however we wanted to provide you with an update of the interview results in preparation for your various upcoming presentations. The following are important notes of consideration:

- These selected quotes from the interviews are representative of all the responses collected
- Results represent approximately 80% of the interviews conducted as of March 2, 2007
- Common themes from these interviews provides evidence of the impact from Kan-ed funding programs

In addition, we have prepared a one-page summary per Senate Commerce Committee member to provide a snapshot of Kan-ed activities within those legislative districts.

If you have any questions, please do not hesitate to contact me or Cindy Shuman at 785.532.3463.

Sincerely,

B. Jan Middendorf, Assistant Director  
Office of Educational Innovation and Evaluation (OEIE)  
Manhattan, Kansas 66502  
785.532.4716

Senate Commerce Committee  
March 7, 2006

Attachment 3-1

## 2006 Kan-ed Funding Opportunities Preliminary Impact Data

### Purpose

In 2006, Kan-ed continued to implement their annual funding programs designed to facilitate and enhance each member's ability to take advantage of the Kan-ed network, programs, and services. In addition to the annual funding opportunities, 2006 saw the culmination of two new programs, the *Hospital Initiative* and *Higher Education "Connect"* program, specifically designed to increase the number of members connected to the private Kan-ed network. The 2006 funding programs directly impacted 410 Kan-ed members.

In February of 2007 the Office of Educational Innovation and Evaluation (OEIE), serving as the external evaluator to Kan-ed, began the process of obtaining feedback from recipients of four of the six programs in 2006 to identify the impact the funds had on the institution, their constituency, and the surrounding community.

The following sections contain quotes taken from the interviews of Kan-ed 2006 funding recipients. As of February 27, 2007, 94 of the 138 funding recipients have been interviewed. It is anticipated that the remaining interviews will be completed by early March. Please note that not all funding programs were included in this round of follow-up.

### Preliminary Results

#### K-12

[Funds were used to support Interactive Distance Learning (IDL) and desktop videoconferencing] *"People want access to information and need ways to get information...we have 6 training sessions using the interactive technologies planned for the period February 24 - April 10, 2007. Several of our teachers are using Marratech video conferencing for discussions and book studies."* – K-12 Member, Northeast Region

*"...we've done several things with community based classes using IDL technology. It will continue to provide some ongoing adult education opportunities, where people within our area and surrounding areas will be able to travel to our city to take advantage of those opportunities. We think there is an economic benefit of people coming to our area to utilize this technology. They stop to buy gas, they stop and eat a meal, they stop at convenient stores. [Grant funds] allow us to provide course offerings in a small rural school that we would not otherwise be able to offer."* – K-12 Member, Southeast Region

[The impact of grant funds has been] *"Increased educational opportunities for students and it allows us to have classes in smaller districts that they can't offer but that we are able to offer in another district. For example, it allows them opportunities to take computer graphics class that they wouldn't have the opportunity to take. It also allows students to take college classes; we offer classes from 2 community colleges in the area...We greatly appreciate what Kan-ed does"*

*for the children of our community, and we would not be able to do this if it wasn't for those grant funds." – K-12 Member, North Central Region*

*"The Kan-ed grant has allowed us to continue to offer IDL opportunities by helping us improve the delivery system. The last grant was used to upgrade our video and audio to digital, we would have been really strapped if we had to finance this from our general budget... this grant program is vital to our district and our school to offer the IDL courses to our students. As a small district there is no way we could stay abreast to the technology upgrades without this assistance, just today we were talking about what is next for us, what we need to do now to help our students learn and give them a top notch education, we just continue to do bigger and better things to benefit our kids and maybe the communities." – K-12 Member, Central Region*

[Grant funds have impacted] *"All students in grades K-5. We have about two electronic field trips a day, 60 a month. We have been using them for classroom enrichment, it provides the opportunity for our students to have access to enrichment activities through technology, communication, they have an expert from a field or a new teacher brings a new perspective, it just really enriches the classroom experience...they may go to zoos, or a science center, or interact with astronaut, without leaving their classroom they can have enriching experiences that they would not otherwise be able to do." – K-12 Member, South Central Region*

*"Four of our board members utilize Marratech on a regular basis. One is a banker, and on Mountain Time so that makes his life even more challenging, connecting with us. He is able to close his door, go in through Marratech, and meet with us, and that would usually take two hours for him to drive here and then the time difference...The motivation for this project was the fact that Marratech is easy to install and use..." – K-12 member, Southwest Region*

### **Higher Education**

*"Last spring we did a class with the University of Nebraska...Students were able to have the class here and then the instructors were actually in Nebraska conducting the class. It was a really good thing for the students, they didn't have to miss out on a graduate level class that is only offered every other spring, and they still had the interaction with the other students. There were about six students here and about 15 in Nebraska and they had that interaction and also the benefit of the two instructors in the classroom, so it worked out really well." –Higher Education Member, Northeast Region*

[Who has been impacted by grant funds] *"Students have been impacted most heavily. Faculty and staff have both been affected because it's all about communication and connectivity with the world, and community organizations and local businesses have certainly been impacted. That list actually goes on because all the local businesses it has impacted have counterparts elsewhere in the world that impact could also be extended to them. I would say in the last year probably 2000 people have been impacted very well by using the equipment, and doing something that wouldn't have been possible without it." -Higher Education Member, Northwest Region*

*"Beyond providing connectivity, the Kan-ed Technology and Equipment grant program provided us the opportunity to maintain our internal infrastructure and advance our technological*



capabilities. The local infrastructure grant program funding provided by this Kan-ed matching grant made our connection possible to the previously mentioned unique and innovative community-wide network known as the Integrated Community Access Network. These enhancements and upgrades simply would not have been possible without the assistance of the Kan-ed grant programs." – Higher Education Member, Southeast Region

"It just has been a terrific and very helpful grant for us. It moved us ahead dramatically in terms of what we can do. The population is declining in Central Kansas and in our area and for us to remain viable we need to take advantage of the technology that is available. The other grant that we got was actually the connectivity grant, and that has really allowed us to be involved in I2 and get the bandwidth that we need. It has really helped to move us forward in a really profound way. A year ago we were without really good connectivity and we didn't have the technology to allow us to do distance education. We now have both in place." – Higher Education Member, North Central Region

"Without Kan-ed building that backbone out to the local ISPs, it wouldn't have done any good to buy all of this equipment. Another hidden impact of all the Kan-ed funds and how they've helped is in a sense now the schools, that they're on Kan-ed with all their connectivity, they don't just hook to one resource...they're hooking to all kinds of resources. Now that schools are on the Kan-ed network...they can take courses from K-State, KU, from colleges from anywhere in the world and they do a lot of virtual field trips...that has been very useful." – Higher Education Member, Central Region

"We are in the process of installing the Moodle server [purchased with grant funds]. The previous course management system was out of date and the new server will provide more file space and options thus allowing faculty to design courses for distance education which will expand offerings available to students." – Higher Education Member, Northwest Region

### *Hospitals*

"Kan-ed is one of the very few tax supported programs that is making an impact on society and communities in a way that effects people's lives and makes a difference in health care, especially in rural Kansas. I will tell any legislator it is necessary to fund Kan-ed because its services improve health care and in particular rural health care. Since we have seen the impact radiology has on the services [possible as a result of grant funds] the hospital will find ways to cover this cost in the future." – Hospital Member, South Central Region

"We would not have been able to do any of the video conferencing without the grant money. We just don't have the money to have been able to do that. What we've done is we've focused on department manager training so we tried to focus on making people better managers so that we can retain staff. In the past this training either didn't happen or people had to travel." – Hospital Member, North Central Region

"The grant was very successful, had a very positive impact. It improved specifically the training and education of staff, and allowed them to leverage the internet and distance learning

opportunities...Being a critical care hospital in a small town, we can use all the funding we can get, so we really appreciate it." – Hospital Member, Central Region

"The doctor was able to observe the behavior in question over ITV [connection possible as a result of grant funds]. You can't believe how appreciative this mother was because she had three small children under the age of six and the one child, was the one that was being treated, but she had no way to leave the other two at home. She was going to have to take three children to Kansas City about 7 hours one way." – Hospital Member, Northwest Region

"Before the grant funds we didn't have enough speed for ITV. Now we can run both the network and ITV on the same bandwidth. We use ITV and Marratech for training and communication. This provides for a lot of education that we would not have gotten otherwise because we have nurses who work 3 days and do not have day care and doctors who can't leave town. This saves money and allows nurses to take training closer to their shift time (a convenience and thus they are more likely to take training). It allows us to get better education when we are out in the middle of nowhere. It allows us to allocate funds to travel only when necessary for training and use ITV when those trainings are available." – Hospital Member, Southwest Region

### *Libraries*

[Grant funds have impacted] "Staff and community members who use public computers, probably around 10,000 people. Because of the security [equipment purchased] it's allowed us to provide better programming for the public side, we are able to do more, we're not afraid of someone coming in and doing something that would harm the network. We have more bandwidth for staff side so they can do stuff faster, for example if they have something they need to download they can do it a lot faster." – Library Member, Northeast Region

"We're forming a consortium or actually joining one that was already formed at Pittsburg State University so we're going to be migrating to their catalog and circulation software. It's going to allow us to use software that is much more sophisticated and [provides] a lot more opportunities for us to do things...right now patrons can go online from home and look at our system but pretty much they can just look at what we own. Once we migrate to PSU at the end of this year they can reserve books, and I think they'll be able to renew books." – Library Member, Southeast Region

"The state and Kan-ed supported databases provide patrons access because no local funding would be able to support such a purchase. The state is moving to an automated system. We now have the infrastructure thanks to Kan-ed for automation." – Library Member, North Central Region

"We are supporters of Kan-ed. Without Kan-ed subsidies many libraries would not have Internet access. Many libraries will lose their Internet access if there are not Kan-ed subsidy funds." – Library Member, Southwest Region

**Karin Brownlee**  
**Senate Commerce Committee**  
**Senate District #23**

- 1) How many Kan-ed members and potential members are in *Senate District #23*?
  - There are 8 members and 2 potential members in *Senate District #23*. Of the 8 members, 1 is an institution of Higher Education, 6 are K-12, and 1 is a Library. The 2 potential members are Hospitals.
- 2) How many members in *Senate District #23* have taken advantage of Kan-ed funding opportunities?
  - All 8 members (100%) took advantage of these opportunities.
- 3) How many members in *Senate District #23* are connected to the physical Kan-ed network (i.e., backbone)?
  - 1 of the 8 members (13%) is connected to the physical Kan-ed network.
- 4) How many members in *Senate District #23* are registered to use the Kan-ed Empowered Desktop?
  - 5 of the 8 members (63%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #23*.

[Grant funds have impacted] *"Staff and community members who use public computers, probably around 10,000 people. Because of the security [equipment purchased] it's allowed us to provide better programming for the public side, we are able to do more, we're not afraid of someone coming in and doing something that would harm the network. We have more bandwidth for staff side so they can do stuff faster, for example if they have something they need to download they can do it a lot faster."* – Library Member, Northeast Region

*"Last spring we did a class with the University of Nebraska...Students were able to have the class here and then the instructors were actually in Nebraska conducting the class. It was a really good thing for the students, they didn't have to miss out on a graduate level class that is only offered every other spring, and they still had the interaction with the other students. There were about six students here and about 15 in Nebraska and they had that interaction and also the benefit of the two instructors in the classroom, so it worked out really well."* –Higher Education Member, Northeast Region

**Nick Jordan**  
**Senate Commerce Committee**  
**Senate District #10**

- 1) How many Kan-ed members and potential members are in *Senate District #10*?
  - There are 5 members and 1 potential member in *Senate District #10*. Of the 5 members, 4 are K-12, and 1 is a Library. The potential member is a Hospital.
- 2) How many members in *Senate District #10* have taken advantage of Kan-ed funding opportunities?
  - All 5 members (100%) took advantage of these opportunities.
- 3) How many members in *Senate District #10* are connected to the physical Kan-ed network (i.e., backbone)?
  - None of the 5 members (0%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #10* are registered to use the Kan-ed Empowered Desktop?
  - 4 of the 5 members (80%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #10*.

[Grant funds have impacted] *“Staff and community members who use public computers, probably around 10,000 people. Because of the security [equipment purchased] it's allowed us to provide better programming for the public side, we are able to do more, we're not afraid of someone coming in and doing something that would harm the network. We have more bandwidth for staff side so they can do stuff faster, for example if they have something they need to download they can do it a lot faster.”* – Library Member, Northeast Region

*“Last spring we did a class with the University of Nebraska...Students were able to have the class here and then the instructors were actually in Nebraska conducting the class. It was a really good thing for the students, they didn't have to miss out on a graduate level class that is only offered every other spring, and they still had the interaction with the other students. There were about six students here and about 15 in Nebraska and they had that interaction and also the benefit of the two instructors in the classroom, so it worked out really well.”* –Higher Education Member, Northeast Region

**Jim Barone**  
**Senate Commerce Committee**  
**Senate District #13**

- 1) How many Kan-ed members and potential members are in *Senate District #13*?
  - There are 30 members and 1 potential member in *Senate District #13*. Of the 30 members, 2 are institutions of Higher Education, 2 are Hospitals, 16 are K-12, and 10 are Libraries. The potential member is a Hospital.
- 2) How many members in *Senate District #13* have taken advantage of Kan-ed funding opportunities?
  - 25 of the 30 members (83%) took advantage of these opportunities.
- 3) How many members in *Senate District #13* are connected to the physical Kan-ed network (i.e., backbone)?
  - 14 of the 30 members (47%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #13* are registered to use the Kan-ed Empowered Desktop?
  - 13 of the 30 members (43%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #13*.

*"...we've done several things with community based classes using IDL technology. It will continue to provide some ongoing adult education opportunities, where people within our area and surrounding areas will be able to travel to our city to take advantage of those opportunities. We think there is an economic benefit of people coming to our area to utilize this technology. They stop to buy gas, they stop and eat a meal, they stop at convenient stores. [Grant funds] allow us to provide course offerings in a small rural school that we would not otherwise be able to offer."* – K-12 Member, Southeast Region

*"Beyond providing connectivity, the Kan-ed Technology and Equipment grant program provided us the opportunity to maintain our internal infrastructure and advance our technological capabilities. The local infrastructure grant program funding provided by this Kan-ed matching grant made our connection possible to the previously mentioned unique and innovative community-wide network known as the Integrated Community Access Network. These enhancements and upgrades simply would not have been possible without the assistance of the Kan-ed grant programs."* – Higher Education Member, Southeast Region

**Jay Scott Emler**  
**Senate Commerce Committee**  
**Senate District #35**

- 1) How many Kan-ed members and potential members are in *Senate District #35*?
  - There are 62 members and 4 potential members in *Senate District #35*. Of the 62 members, 4 are institutions of Higher Education, 31 are K-12, 7 are Hospitals, and 20 are Libraries. One potential member is a Hospital and 3 are Libraries.
- 2) How many members in *Senate District #35* have taken advantage of Kan-ed funding opportunities?
  - 47 of the 62 members (76%) took advantage of these opportunities.
- 3) How many members in *Senate District #35* are connected to the physical Kan-ed network (i.e., backbone)?
  - 20 of the 62 members (32%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #35* are registered to use the Kan-ed Empowered Desktop?
  - 35 of the 62 members (56%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #35*.

*"Kan-ed is one of the very few tax supported programs that is making an impact on society and communities in a way that effects people's lives and makes a difference in health care, especially in rural Kansas. I will tell any legislator it is necessary to fund Kan-ed because its services improve health care and in particular rural health care. Since we have seen the impact radiology has on the services [possible as a result of grant funds] the hospital will find ways to cover this cost in the future."* – Hospital Member, South Central Region

[Grant funds have impacted] *"All students in grades K-5. We have about two electronic field trips a day, 60 a month. We have been using them for classroom enrichment, it provides the opportunity for our students to have access to enrichment activities through technology, communication, they have an expert from a field or a new teacher brings a new perspective, it just really enriches the classroom experience...they may go to zoos, or a science center, or interact with astronaut, without leaving their classroom they can have enriching experiences that they would not otherwise be able to do."* – K-12 Member, South Central Region

**Laura Kelly**  
**Senate Commerce Committee**  
**Senate District #18**

- 1) How many Kan-ed members and potential members are in *Senate District #18*?
  - There are 21 members and 4 potential members in *Senate District #18*. Of the 21 members, 2 are institutions of Higher Education, 13 are K-12, 2 are Hospitals, and 4 are Libraries. Two potential members are Hospitals, 1 is K-12, and 1 is a Library.
- 2) How many members in *Senate District #18* have taken advantage of Kan-ed funding opportunities?
  - 16 of the 21 members (76%) took advantage of these opportunities.
- 3) How many members in *Senate District #18* are connected to the physical Kan-ed network (i.e., backbone)?
  - 7 of the 21 members (33%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #18* are registered to use the Kan-ed Empowered Desktop?
  - 14 of the 21 members (67%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #18*.

[The impact of grant funds has been] *"Increased educational opportunities for students and it allows us to have classes in smaller districts that they can't offer but that we are able to offer in another district. For example, it allows them opportunities to take computer graphics class that they wouldn't have the opportunity to take. It also allows students to take college classes; we offer classes from 2 community colleges in the area...We greatly appreciate what Kan-ed does for the children of our community, and we would not be able to do this if it wasn't for those grant funds."* – K-12 Member, North Central Region

*"It just has been a terrific and very helpful grant for us. It moved us ahead dramatically in terms of what we can do. The population is declining in Central Kansas and in our area and for us to remain viable we need to take advantage of the technology that is available. The other grant that we got was actually the connectivity grant, and that has really allowed us to be involved in I2 and get the bandwidth that we need. It has really helped to move us forward in a really profound way. A year ago we were without really good connectivity and we didn't have the technology to allow us to do distance education. We now have both in place."* – Higher Education Member, North Central Region

**Roger Reitz**  
**Senate Commerce Committee**  
**Senate District #22**

- 1) How many Kan-ed members and potential members are in *Senate District #22*?
  - There are 16 members and 2 potential members in *Senate District #22*. Of the 16 members, 3 are institutions of Higher Education, 9 are K-12, 1 is a Hospital, and 3 are Libraries. The 2 potential members are Hospitals.
- 2) How many members in *Senate District #22* have taken advantage of Kan-ed funding opportunities?
  - 15 of the 16 members (94%) took advantage of these opportunities.
- 3) How many members in *Senate District #22* are connected to the physical Kan-ed network (i.e., backbone)?
  - 3 of the 16 members (19%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #22* are registered to use the Kan-ed Empowered Desktop?
  - 13 of the 16 members (81%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #22*.

[The impact of grant funds has been] *"Increased educational opportunities for students and it allows us to have classes in smaller districts that they can't offer but that we are able to offer in another district. For example, it allows them opportunities to take computer graphics class that they wouldn't have the opportunity to take. It also allows students to take college classes; we offer classes from 2 community colleges in the area...We greatly appreciate what Kan-ed does for the children of our community, and we would not be able to do this if it wasn't for those grant funds."* – K-12 Member, North Central Region

*"It just has been a terrific and very helpful grant for us. It moved us ahead dramatically in terms of what we can do. The population is declining in Central Kansas and in our area and for us to remain viable we need to take advantage of the technology that is available. The other grant that we got was actually the connectivity grant, and that has really allowed us to be involved in I2 and get the bandwidth that we need. It has really helped to move us forward in a really profound way. A year ago we were without really good connectivity and we didn't have the technology to allow us to do distance education. We now have both in place."* – Higher Education Member, North Central Region



**Jean Schodorf**  
**Senate Commerce Committee**  
**Senate District #25**

- 1) How many Kan-ed members and potential members are in *Senate District #25*?
  - There are 12 members and 9 potential members in *Senate District #25*. Of the 12 members, 4 are institutions of Higher Education, 5 are K-12, 2 are Hospitals, and 1 is a Library. The 9 potential members are Hospitals.
- 2) How many members in *Senate District #25* have taken advantage of Kan-ed funding opportunities?
  - 9 of the 12 members (75%) took advantage of these opportunities.
- 3) How many members in *Senate District #25* are connected to the physical Kan-ed network (i.e., backbone)?
  - 4 of the 12 members (33%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #25* are registered to use the Kan-ed Empowered Desktop?
  - 5 of the 12 members (42%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #25*.

*"Kan-ed is one of the very few tax supported programs that is making an impact on society and communities in a way that effects people's lives and makes a difference in health care, especially in rural Kansas. I will tell any legislator it is necessary to fund Kan-ed because its services improve health care and in particular rural health care. Since we have seen the impact radiology has on the services [possible as a result of grant funds] the hospital will find ways to cover this cost in the future."* – Hospital Member, South Central Region

[Grant funds have impacted] *"All students in grades K-5. We have about two electronic field trips a day, 60 a month. We have been using them for classroom enrichment, it provides the opportunity for our students to have access to enrichment activities through technology, communication, they have an expert from a field or a new teacher brings a new perspective, it just really enriches the classroom experience...they may go to zoos, or a science center, or interact with astronaut, without leaving their classroom they can have enriching experiences that they would not otherwise be able to do."* – K-12 Member, South Central Region

**Ruth Teichman**  
**Senate Commerce Committee**  
**Senate District #33**

- 1) How many Kan-ed members and potential members are in *Senate District #33*?
  - There are 65 members and 5 potential members in *Senate District #33*. Of the 65 members, 3 are institutions of Higher Education, 29 are K-12, 12 are Hospitals, and 21 are Libraries. Three potential members are Libraries, and 2 are Hospitals.
- 2) How many members in *Senate District #33* have taken advantage of Kan-ed funding opportunities?
  - 49 of the 65 members (75%) took advantage of these opportunities.
- 3) How many members in *Senate District #33* are connected to the physical Kan-ed network (i.e., backbone)?
  - 22 of the 65 members (34%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #33* are registered to use the Kan-ed Empowered Desktop?
  - 27 of the 65 members (42%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #33*.

*"Kan-ed is one of the very few tax supported programs that is making an impact on society and communities in a way that effects people's lives and makes a difference in health care, especially in rural Kansas. I will tell any legislator it is necessary to fund Kan-ed because its services improve health care and in particular rural health care. Since we have seen the impact radiology has on the services [possible as a result of grant funds] the hospital will find ways to cover this cost in the future."* – Hospital Member, South Central Region

[Grant funds have impacted] *"All students in grades K-5. We have about two electronic field trips a day, 60 a month. We have been using them for classroom enrichment, it provides the opportunity for our students to have access to enrichment activities through technology, communication, they have an expert from a field or a new teacher brings a new perspective, it just really enriches the classroom experience...they may go to zoos, or a science center, or interact with astronaut, without leaving their classroom they can have enriching experiences that they would not otherwise be able to do."* – K-12 Member, South Central Region

**Susan Wagle**  
**Senate Commerce Committee**  
**Senate District #30**

- 1) How many Kan-ed members and potential members are in *Senate District #30*?
  - There are 12 members and 9 potential members in *Senate District #30*. Of the 12 members, 4 are institutions of Higher Education, 5 are K-12, 2 are Hospitals, and 1 is a Library. The 9 potential members are Hospitals.
- 2) How many members in *Senate District #30* have taken advantage of Kan-ed funding opportunities?
  - 9 of the 12 members (75%) took advantage of these opportunities.
- 3) How many members in *Senate District #30* are connected to the physical Kan-ed network (i.e., backbone)?
  - 4 of the 12 members (33%) are connected to the physical Kan-ed network.
- 4) How many members in *Senate District #30* are registered to use the Kan-ed Empowered Desktop?
  - 6 of the 12 members (50%) are registered to use the Kan-ed Empowered Desktop.
- 5) Other key information about members in *Senate District #30*.

*"Kan-ed is one of the very few tax supported programs that is making an impact on society and communities in a way that effects people's lives and makes a difference in health care, especially in rural Kansas. I will tell any legislator it is necessary to fund Kan-ed because its services improve health care and in particular rural health care. Since we have seen the impact radiology has on the services [possible as a result of grant funds] the hospital will find ways to cover this cost in the future."* – Hospital Member, South Central Region

[Grant funds have impacted] *"All students in grades K-5. We have about two electronic field trips a day, 60 a month. We have been using them for classroom enrichment, it provides the opportunity for our students to have access to enrichment activities through technology, communication, they have an expert from a field or a new teacher brings a new perspective, it just really enriches the classroom experience...they may go to zoos, or a science center, or interact with astronaut, without leaving their classroom they can have enriching experiences that they would not otherwise be able to do."* – K-12 Member, South Central Region

4.  
75-7221

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES  
Article 72.--INFORMATION TECHNOLOGY

75-7221. KAN-ED; title. This act may be cited as the KAN-ED act.

History: L. 2001, ch. 136, § 1; Apr. 26.

75-7222

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES  
Article 72.--INFORMATION TECHNOLOGY

75-7222. Same; definitions. As used in this act, unless the context requires otherwise:

(a) "Board" means the state board of regents.

(b) "Hospital" means a licensed hospital, as defined in K.S.A. 65-425, and amendments thereto.

**REVISED: "Hospital" means a hospital, licensed by a governmental unit, as defined in K.S.A. 65-425, and amendments thereto. (this revision provides greater clarification to the term "licensed" and the term "governmental unit" is a defined term within KSA 65-425)**

(c) "Library" means: (1) The state library; (2) any public library established and operating under the laws of this state; or (3) any regional system of cooperating libraries, as defined in K.S.A. 75-2548, and amendments thereto.

(d) "Network" means the KAN-ED network created pursuant to this act.

(e) "School" means: (1) Any unified school district, school district interlocal cooperative, school district cooperative or nonpublic school accredited by the state board of education; or (2) any community college, technical college, area vocational school, area vocational-technical school or Kansas educational institution, as defined in K.S.A. 74-32,120, and amendments thereto.

History: L. 2001, ch. 136, § 2; Apr. 26.

75-7223

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES  
Article 72.--INFORMATION TECHNOLOGY

75-7223. Same; purpose of act; purposes for which network not a provider. (a) The purpose of this act is to provide for a broadband technology-based network to which schools, libraries and hospitals may connect for broadband internet access and intranet access for distance learning. For that purpose, the state board of regents shall contract in

Senate Commerce Committee  
March 7, 2007  
Attachment 4-1

accordance with this act for the creation, operation and maintenance of such network, to be known as the KAN-ED network.

(b) The network shall not provide for: (1) Impairment of any existing contract for the provision of telecommunications services or internet services to any school, library or hospital; ~~(2) state ownership or construction of any network facilities other than those owned or being constructed by the state on the effective date of this act;~~(this revision would permit Kan-ed to make use resources of existing state resources or those created after the Kan-ed Act) (3) switched voice access, except to the extent switched access is being provided by state owned, leased or operated facilities as of the effective date of this act; ~~(4) transmission of voice over internet or voice over internet protocol, except to the extent necessary to facilitate interactive two-way video;~~(elimination of this part would be necessary if Kan-ed were to share circuits with other state entities) or (5) use of the network for purposes inconsistent with the purposes of this act.

History: L. 2001, ch. 136, § 3; Apr. 26.

75-7224

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES  
Article 72.--INFORMATION TECHNOLOGY

75-7224. Same; network standards established; provider contracts authorized; needs assessment required; advisory committee authorized; rules and regulations. (a) The board shall establish a plan to ensure that all schools, libraries and hospitals have quality, affordable access to the internet and distance learning ~~or medical purposes~~ (adding this language makes it clear that the use of the network for medical purposes like telemedicine is permitted). The board shall adopt standards for determining whether such access is available to each school, library or hospital desiring such access and shall adopt priorities for implementation of such access. The board may request and receive assistance from any school, any library, any hospital, the state corporation commission, any other agency of the state or any telecommunications, cable or other communications services provider to gather necessary data to implement such plan and establish such standards and priorities. The board shall develop a methodology for updating and validating any data collected for periodic revisions of the plan, standards and priorities. ~~Not less than 75% of all schools which have applied to the board to participate in the network, 75% of all libraries which have applied to the board to participate in the network and 75% of all hospitals which have applied to the board to participate in the network shall have access to the network by July 1, 2004.~~ (these goals were achieved and the language is no longer needed)

(b) The board shall contract with providers of telecommunications services, cable services and other communications services for the creation, operation and maintenance of the network. Such contracts shall be let by competitive bids as provided by K.S.A. 75-3739, and amendments thereto.

(c) The board shall establish: (1) Technical standards for operation and maintenance of the network; (2) the method of monitoring operations of the network; and (3) the method or methods of increasing the capacity of the network to accommodate changes in the demands of schools, libraries and hospitals.

(d) The board shall identify any potential regulatory impediments to and other regulatory considerations in implementation of the network and shall propose measures to address such impediments and other considerations.

(e) The board shall assess the need of schools, libraries and hospitals for full-motion video connectivity. Based on its findings, the board may develop a plan to provide such connectivity. The plan may require users of such connectivity bear part of its cost.

(f) The board may appoint such advisory committees as the board determines necessary to carry out the purposes of this act. The membership of advisory committees may include both members of the board and persons who are not board members. Such advisory committees, to the extent appropriate, shall include both communications services providers and participants knowledgeable about topics such as network facilities and services, network content and user training, and such other topics as may be necessary or useful. Members of advisory committees appointed by the board shall receive amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto.

(g) On or before July 1, 2002, and thereafter as the board deems appropriate, the board shall adopt rules and regulations to implement and administer the provisions of this act.

(h) The board shall have all other powers necessary to achieve the purposes of this act, including but not limited to the power to receive any appropriations, donations, grants, bequests and devises, conditional and otherwise, of money, property, services or other things of value for the purposes of this act.

(i) The state department of education, the division of information systems and communications of the department of administration, the state corporation commission and all other state agencies shall cooperate with the board in providing information and other assistance requested by the board for the performance of its duties pursuant to this act.

History: L. 2001, ch. 136, § 4; Apr. 26.

75-7225

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES  
Article 72.--INFORMATION TECHNOLOGY

75-7225. Same; KAN-ED fund created. (a) There is hereby created in the state treasury the KAN-ED fund. The board shall remit to the state treasurer all moneys

received by or on behalf of the board for the purposes of this act. Upon receipt of the remittance, the state treasurer shall deposit the entire amount in the state treasury and credit it to the KAN-ED fund.

(b) Moneys in the KAN-ED fund shall be expended only for the purposes of this act.

(c) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the KAN-ED fund interest earnings based on:

(1) The average daily balance of moneys in the fund for the preceding month; and

(2) the net earnings rate for the pooled money investment portfolio for the preceding month.

(d) All expenditures from the KAN-ED fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or the chairperson's designee for the purposes set forth in this section.

History: L. 2001, ch. 136, § 5; Apr. 26.

75-7226

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES  
Article 72.--INFORMATION TECHNOLOGY

75-7226. Same; annual report required. On or before January 15 of each year, the board shall publish an annual report and shall present the report to the legislature, governor and department of education. The report shall set forth in detail the operations and transactions conducted by the board pursuant to this act. The annual report shall specifically account for the ways in which the purpose of this act have been carried out, and the recommendations shall specifically note what changes are necessary to better address the purposes described in this act.

History: L. 2001, ch. 136, § 6; Apr. 26.

75-7227

Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES  
Article 72.--INFORMATION TECHNOLOGY

75-7227. Same; severability. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application. To this end the provisions of this act are severable.

History: L. 2001, ch. 136, § 7; Apr. 26.

**Testimony on SB 148**  
**Senate Commerce Committee**  
**March 7, 2007**

**Prepared by**  
**Phil Elliott, Director of Technology, Spring Hill Schools, USD 230**

Thank you for the opportunity to submit written testimony to this committee on SB 148, a bill amending the KAN-ED act. I am submitting these remarks on behalf of the Spring Hill school district, which is located in Johnson and Miami counties. The district includes the city of Spring Hill, as well as portions of Olathe and Overland Park. The current enrollment in the Spring Hill school district is 1,782 students and the district is experiencing approximately a four percent growth per year, with an anticipated increase growth rate over the next several years.

The Spring Hill school district is committed to the utilization of technology in buildings and classrooms to enhance the learning experience. Currently, however, Spring Hill school district benefits from a limited number of the services offered by KAN-ED. In addition to receiving a modest grant, the District utilizes the Empowered Desktop supported by KAN-ED, enabling us to access research databases, test builder, productivity tools, and learning profiles.

According to KAN-ED's web site, they provide six services. They are to operate a private/statewide network, operate servers that enhance or extend the use of networked video, provide grants to help members construct networked video classrooms, provide grants to members who want to develop and/or implement innovative uses of the network, provide a controlled-access portal (the Empowered Desktop), and provide access to the nationwide higher education network usually known as "Internet2". These are great goals and we believe they are accomplishable, given the right management and direction.

State wide, state funded programs should be just that, state wide. At this point the Spring Hill school district is only able to access the Empowered desktop and apply for the grants available through KAN-ED. In order for the Spring Hill school district to gain access to the other resources, we would have to install a minimum of a 3 MB point to point circuit from our telecommunication provider at a minimum cost of a \$1,000 a month. We believe we should be able to use our existing broadband connection (6 MB) and simply "route" the traffic two directions, one to the regular Internet and the other to the KAN-ED Backbone. This could be accomplished using Layer 3 routing. Think of Layer 3 routing like a postal worker. The postal worker (technology equipment) looks at the destination address and routes the letter (information) accordingly. We have been

Senate Commerce Committee  
March 7, 2007  
Attachment 5-1



working with KAN-ED for three or more years to gain access (at no additional cost) to the statewide/KAD-ED network.

The Spring Hill school district is not alone, while preparing this information I spoke with ten metro area districts of similar size and similar technology implementations. They too only use the Empowered Desktop and modest grants as they also require a second connection to gain access to the other broadband services offered by KAN-ED.

Our district would like to strongly encourage KAN-ED and the Legislature to work with the state's Internet service providers to establish a strategic plan to connect all eligible entities via their existing broadband connections and to provide as many services as possible via the state-wide Intranet network. We believe that this will increase reliability of existing services, make existing state wide communications potentially more secure, and provide a platform for new and innovative uses of the network.

We also believe that there are potential benefits to developing a steering committee of eligible entity representatives to ensure that the services, procedures, and methods being provided actually benefit the groups.

In closing, I would like to thank you for your continued support of education and the opportunity to submit written testimony today.



DEPARTMENT OF HEALTH  
AND ENVIRONMENT

Division of Health

Kathleen Sebelius, Governor  
Roderick L. Bremby, Secretary

[www.kdheks.gov](http://www.kdheks.gov)

**Testimony on Senate Bill 148**

**To**

**Senate Commerce Committee**

**By Chris Tilden  
Director, Office of Local and Rural Health**

**Kansas Department of Health and Environment**

**March 7, 2007**

Chairperson Brownlee and Vice Chair Jordan, and members of the Committee, I am pleased to appear to provide comments on Senate Bill 148. I am Chris Tilden, Director of the Office of Local and Rural Health at KDHE. The Kansas Department of Health & Environment (KDHE) supports this bill, which seeks to provide access to the broadband KAN-ED network to the Department of Corrections and the state health department. KAN-ED currently connects schools, libraries and hospitals across the state.

The Kansas Department of Health and Environment has had a long-standing interest in development of the KAN-ED network, insofar as the use of broadband technology is important to healthcare providers in the state of Kansas. Broadband technology is critical to the success of Kansas's growing telemedicine networks and to ensuring access to distance education. Given the ever-tightening budgets of rural health providers around the state, use of televideo for medical consultation and education will become increasingly important. The use of telemedicine for prison-based health is a rapidly growing trend around the country. We support providing KAN-ED access to the Department of Corrections, which will give correction facilities access to medical specialists without the need to transport inmates long distances for care.

Senate Commerce Committee

March 7, 2007

Attachment 6-1

KAN-ED access would also be incredibly beneficial to KDHE. KDHE not only regulates, but also provides funding, technical assistance and education to hospitals and other healthcare providers across the state, in a variety of areas including emergency preparedness, trauma, and quality improvement.

KDHE would be able to provide much of its educational content to health care providers through televideo on the KAN-ED network and would save achieve substantial savings by eliminating hourly ISDN charges.

In addition, many of the small, rural hospitals in Kansas are finding it increasingly difficult to afford staff time out of the office to attend important continuing education, and travel expenses are a significant burden as well. By delivering programs over the KAN-ED network, KDHE could train health care providers in their home communities, decreasing travel expenses and minimizing the time health care workers are away from their jobs, providing needed health care to their patients.

Thank you for the opportunity to testify on this bill.