

**Network Maine Council  
Memorandum of Understanding**

I. NetworkMaine

A. Status

NetworkMaine is a unit of the University of Maine System (UMS) and shall report to its Chief Information Officer (CIO), who shall designate an employee to act as the NetworkMaine Executive Director.

B. Mission

NetworkMaine shall operate and manage a statewide telecommunications delivery system and services developed to support education, research, public service, government, and economic development. It will provide high-quality, cost-effective telecommunications and support services that meet participants' needs, and will operate in a secure, reliable and robust manner to maximizing Maine's investment in public-sector communication.

NetworkMaine shall act as the Maine School and Library (MSLN) consortium authority and will be responsible for making necessary certifications and for responding to USAC inquiries on behalf of the eligible consortium members during both pre- and post-commitment processes.

C. Responsibilities

- 1) Creates an operation plan
- 2) Creates an annual operation budget request for approval by the NetworkMaine Council
- 3) Will keep the NetworkMaine Council informed of NetworkMaine activities, and will report to the NetworkMaine Council at regular meetings and provide additional reports as requested.
- 4) Will remain informed about State information technology standards and policies in order to ensure NetworkMaine's compatibility with State standards and policies in the future.
- 5) Will take all steps possible to insure Federal e-rate compliance in any work done impacting federal e-rate application(s) on behalf of schools and libraries.
- 6) Will deliver high value services that support the effective use of technology in accomplishing Maine's research and education goals.

- 7) Will implement additional programs as designated within each sponsoring agency's Statement of Deliverables.

## II. NetworkMaine Council

### A. Purpose

NetworkMaine operates through a coordinating body referred to as the NetworkMaine Council (Council) and through signed Participant Participation Agreements or other contracts between the University of Maine System and organizations eligible to receive NetworkMaine Services

### B. Membership

Members of the Council are the Maine Commissioner of Education, the Maine State Librarian, the Chief Information Officer for the State of Maine and the Chief Information Officer of the University of Maine System.

### C. Sponsoring Agency Membership

- 1) The Council may approve the addition of sponsoring agencies
- 2) A sponsoring agency is defined as a state agency that has a client base of public K-12 schools, higher education institutions, government infrastructure or public libraries.
- 3) Additional organizations or state agencies may petition the current sponsors to become sponsoring agencies. All prospective sponsors must agree to the terms and conditions of the Memorandum of Understanding. Such petitions will be approved or declined by mutual agreement among current sponsors. Approved petitions will become active once the heads of the current and prospective sponsoring agencies sign an Addendum to this Memorandum of Understanding.
- 4) Sponsoring Agency Responsibilities
  - a. If allowed membership each sponsoring agency will appoint one staff member and two external representatives to the Council.
  - b. Each sponsoring agency will represent the needs, missions, and views of its constituents to the Council.
  - c. Each sponsoring agency will communicate the decisions and outcomes of Council meetings to its constituents.

- d. Sponsoring agencies will share and communicate their positions on major state-level decisions.

D. Governance

- 1) The Council will be led by the core team of staff and constituents of sponsoring agencies.
- 2) The head of each sponsoring agency will select one staff member to serve on the council. Staff members will serve an indefinite term at the discretion of their respective agency head.
- 3) The Council will be chaired by a staff member or constituent of each sponsoring agency on an annual, rotation basis. A vice chair will also be selected to fulfill the duties of the chair in his or her absence.
- 4) The appointed representatives will serve a term of two years. During the initial year of the Council's operation, one appointment from each sponsoring Agency will be for a period of one year in order to set up a rotation of half of the appointed members each year.
- 5) The NetworkMaine Executive Director will serve as an ex-officio member of the Council.
- 6) The Council will conduct annual self assessments of the effectiveness of the Council with the assistance and input of the UMS CIO and Executive Director.

E. Duties

- 1) The primary function of the Council is to oversee planning and budgeting for the NetworkMaine infrastructure including the technical support required for the future growth and success of programs sponsored by Council members.
- 2) The Council will review annual statements of deliverables for each sponsoring agency to ensure that these statements are consistent with the Council's objectives.
- 3) The Council will annually develop a set of performance measures derived from the statement of objectives and deliverables, and will evaluate and report on NetworkMaine's performance on each measure.

- 4) The Council will review and recommend the annual budget request(s) on behalf of NetworkMaine to the appropriate governing bodies and/or sponsoring agencies.
- 5) The Council will establish advisory groups or task forces as needed.
- 6) The Council will advise the UMS CIO in the selection of the Executive Director delegated to administer NetworkMaine.
- 7) The UMS CIO will consult with the Council for input into the annual performance evaluation of the Executive Director.
- 8) The Council will become and remain informed about state information technology standards and policies in order to make decisions that ensure NetworkMaine's compatibility with state standards and policies in the future.
- 9) The Council will interact with organizations that exist or are formed to serve the needs of specific groups of NetworkMaine clients.

F. Contractual Arrangements

- 1) Sponsoring agencies may maintain or establish a contractual relationship with NetworkMaine for the delivery of services and for projects funded directly by a sponsoring agency.
- 2) The Council may review all such contracts as part of its overall duties.

G. Miscellaneous

- 1) No amendment, consent, waiver of terms of this Memorandum of Understanding shall be binding unless made in writing and signed by the signatories indicated in Section II B above. Any such amendment, consent, or waiver shall be effective only in the specific instance and for the specific purpose given. The meeting of the NetworkMaine Council will be published on the NetworkMaine web site and open to the public, and all interested parties are encouraged to attend.

## APPROVALS

### For the Maine Department of Elementary and Secondary Education:

Name: Susan A. Gendron Title: Commissioner

Signature: *Susan A. Gendron* Date: 6/23/09

### For the Maine State Library:

Name: Linda H. Lord Title: Acting State Librarian

Signature: *Linda H. Lord* Date: 6/24/09

### For the State of Maine:

Name: Richard B. Thompson Title: CIO

Signature: *Richard B. Thompson* Date: 6/24/09

### For the University of Maine System:

Name: Rebecca M. Wyke Title: Vice Chancellor Finance

Signature: *Rebecca M. Wyke* Date: 6/29/09