

**AGENDA**  
**TECHNICAL PANEL**  
**Varner Hall - Board Room**  
**3835 Holdrege Street**  
**Lincoln, Nebraska**  
**Tuesday, October 8, 2019**  
**9:00 a.m.**

9:00 a.m. 1. Roll call; meeting notice; Open Meetings Act information.

2. Public comment.

3. **June 11, 2019 meeting minutes.\*** [Motion to approve.] (*Attachment 3*)

9:05 a.m. 4. Projects.

- a. Enterprise project status dashboard. Andy Weekly. (*Attachment 4-a*)
- b. Update on projects recommended for closure: (1) Oracle Fusion project, Dept. of Administrative Services; (2) Nebraska State Accountability (NeSA) project, Dept. of Education; and (3) Nebraska Regional Interoperability Network (NRIN) project, Nebraska Council of Regions.
- c. **Resolution 19-01. Enterprise Project Progress Reports.\*** [Motion to adopt the resolution.] (*Attachment 4-c*)

9:30 a.m. 5. Technical standards and guidelines.

- a. **Proposal 12. Amend the accessibility policy.\*** [Motion to recommend approval.] (*Attachment 5-a*)
- b. **Proposal 13. Repeal resource document 2-RD-01.\*** [Motion to approve.] (*Attachment 5-b*)
- c. **Proposal 14. Adopt a new section relating to authority and applicability.\*** [Motion to post for 30-day comment period.] (*Attachment 5-c*)
- d. **Proposal 15. Amend the Information Security Policy.\*** [Motion to post for 30-day comment period.] (*Attachment 5-d*)

9:55 a.m. 6. Work group updates; other business.

10:00 a.m. 7. Adjourn.

**\* Indicates an action item.**

The Technical Panel will attempt to adhere to the sequence of the published agenda, but reserves the right to adjust the order and timing of items and may elect to take action on any of the items listed.

Meeting notice was posted to the [NITC website](#) and the [Nebraska Public Meeting Calendar](#) on August 9, 2019. The agenda was posted to the NITC website on October 4, 2019.

[Nebraska Open Meetings Act](#) | [Technical Panel Meeting Documents](#)

## Attachment 3

### TECHNICAL PANEL

Varner Hall - Board Room  
3835 Holdrege Street, Lincoln, Nebraska  
Tuesday, June 11, 2019, 9 a.m. CT

### MINUTES

#### MEMBERS PRESENT:

Kirk Langer, Chair, Lincoln Public Schools  
Ed Toner, Chief Information Officer, State of Nebraska  
Ling Ling Sun, Nebraska Education Telecommunications  
Jeremy Sydik, University of Nebraska

**MEMBERS ABSENT:** Mark Askren, University of Nebraska

#### ROLL CALL; MEETING NOTICE; OPEN MEETINGS ACT INFORMATION

Mr. Langer, Chair called the meeting to order at 9:03 a.m. Roll call was taken. A quorum was present. Meeting notice was posted to the NITC website and the Nebraska Public Meeting Calendar on April 17, 2019. The agenda was posted to the NITC website on June 7, 2019. A copy of the Nebraska Open Meetings Act was posted on the wall of the meeting room.

#### PUBLIC COMMENT

There was no public comment.

#### APRIL 9, 2019 MEETING MINUTES

**Mr. Toner moved to approve the April 9, 2019 minutes as presented. Roll call vote: Toner-Yes, Langer-Yes, Sun-Abstained, and Sydik-Yes. Results: Yes-3, No-0, Abstained-1. Motion carried.**

#### ENTERPRISE PROJECTS AND PROJECT DASHBOARD

Andy Weekly, Office of the CIO

Mr. Weekly provided reports on the following projects: Centrex Conversion, Office of the CIO; Medicaid Eligibility & Enrollment System, DHHS; and the Medicaid Management Information Replacement Project (MMIS), DHHS. Questions from the panel were entertained.

At the April meeting, members discussed closure of the following projects: Nebraska State Accountability (NeSA) and Nebraska Regional Interoperability Network (NRIN).

#### Nebraska State Accountability (NeSA) Project, Department of Education

NeSA has not submitted their final report and lessons learned document. Mr. Weekly will follow-up with the project. Members discussed continued monitoring of the system architecture issue.

**Mr. Sydik moved to recommend closure of the Nebraska State Accountability (NeSA) project. Roll call vote: Langer-Yes, Sun-Yes, Toner-Yes and Sydik-Yes. Results: Yes-4, No-0, Abstained-0. Motion carried.**

#### Nebraska Regional Interoperability Network (NRIN) project, Nebraska Council of Regions

NRIN has provided their final report and lessons learned document.

**Mr. Toner moved to recommend closure of the Nebraska Regional Interoperability Network (NRIN) project. Roll call vote: Langer-Yes, Sun-Yes, Toner-Yes and Sydik-Yes. Results: Yes-4, No-0, Abstained-0. Motion carried.**

## **TECHNICAL STANDARDS AND GUIDELINES**

**Proposal 19-01, amend street centerline standards, and Proposal 19-02, amend address point standards.**

The proposals were posted for the 30-day public comment period. No comments were received.

**Mr. Toner moved to recommend approval of Proposal 19-01 and Proposal 19-02. Roll call vote: Sydik-Yes, Toner-Yes, Langer-Yes, and Sun-Yes. Results: Yes-4, No-0, Abstained-0. Motion carried.**

**Proposal 19-03, amend accessibility policy.**

Mr. Sydik introduced the proposal. The current accessibility policy is based on the prior version of the federal 508 standards. The Revised 508 Standards were published in 2017 and amended in 2018. This proposal recommends adopting these revised standards with certain modifications for Nebraska. This proposal also contains a guideline recommending compliance with the Web Content Accessibility Guidelines 2.1.

**Ms. Sun moved to approve the posting of Proposal 19-03 for the 30-day public comment period. Roll call vote: Toner-Yes, Sun-Yes, Langer-Yes, and Sydik-Yes. Results: Yes-4, No-0, Abstained-0. Motion carried.**

## **WORK GROUP UPDATES; OTHER BUSINESS**

Security Architecture Workgroup, Chris Hobbs. The workgroup held a meeting in early May. Representatives from state government agencies, Lincoln Public Schools, the City of Lincoln, DOTComm, and Nebraska Interactive were in attendance. The group will be reviewing the security standards for possible revisions.

## **ADJOURN**

**Mr. Sydik moved to adjourn. All in favor. Motion carried.**

The meeting was adjourned at 9:44 a.m.

The meeting minutes were taken by Lori Lopez Urdiales and reviewed by Rick Becker, of the Office of the CIO.

# Projects Status Dashboard

## October 2019

### Enterprise Projects - Current

Agency/Entity	Project	NITC Designated
Department of Health and Human Services	New Medicaid Management Information System (MMIS)	7/8/2009
Nebraska Council of Regions	Nebraska Regional Interoperability Network	3/15/2010
Department of Health and Human Services	Medicaid Eligibility & Enrollment System	10/28/2014
Office of the CIO	Centrex Replacement	7/12/2018

**Note: Status is self-reported by the agency**

Project Storyboard: 01 Centrex Conversion (65060012)

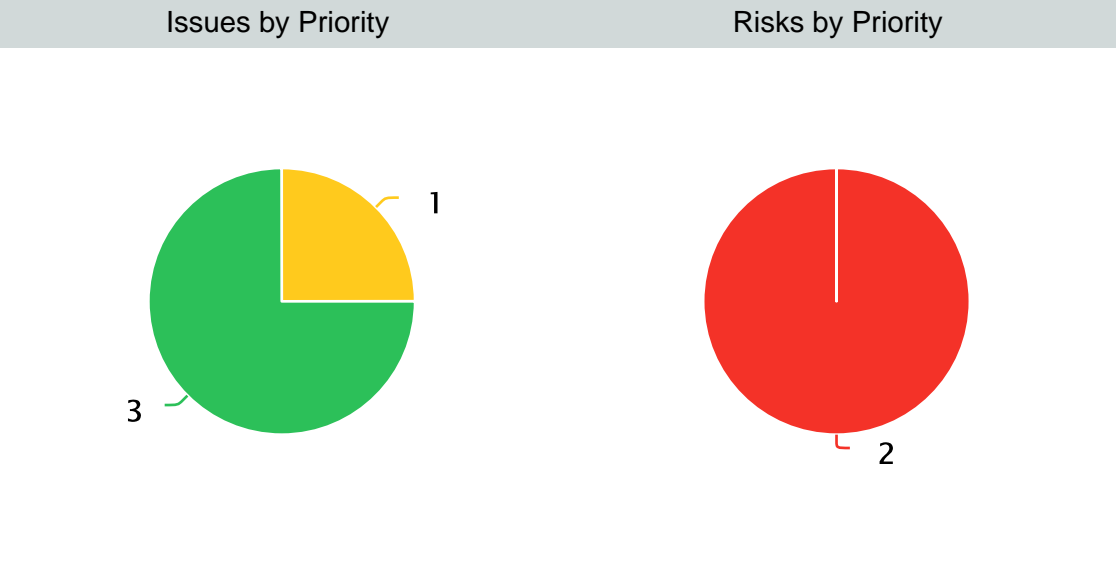
Project Manager	Kortus, Julie	Status Report Date	10/3/19
Project Type	Major Project	Status	Approved
Stage	Design	Progress	Started
Total Estimated Cost	\$2,800,000.00	Estimate to Complete	
Actual Cost To Date			










Project Dates		
	Start	Finish
Plan	10/10/17	3/9/21
Baseline	10/10/17	6/30/20
Days Late	252	252

Status Report Indicators		
Overall		
Schedule		
Scope		
Cost and Effort		









Project Description	Key Accomplishments
To secure the most cost efficient Hosted Voice Over Internet Protocol Telephony (VOIP) Services. This solution will replace the State’s Centrex service throughout the State of Nebraska. The purpose of the project is to provide phone service that includes the most up-to-date VOIP features and functionality as a hosted service with equipment ownership, maintenance and service remaining with the Contractor.	Ported OCIO numbers to new VOIP solution Ported a variety of commission and boards to VOIP solution Process improvements Cross training Engaged BSMs in assisting agency Communication Coordinators if needed

Status Report Update	Upcoming Activities
Some of the issues we have experienced: * Time it takes to reconcile final inventories with the agencies * Project resources * Agencies needing additional cable/wiring prior to port * Agencies requiring circuit upgrades, and time this takes for carrier to complete * Employees at some agencies frequently moving their physical location	Continued process improvements Additional resources will be added Installs and ports for Nebraska Department of Labor Installs and ports for Department of Health and Human Services Installs and ports for Nebraska Department of Transportation











Current Issues					More Issues...	
Issue			Priority	Status	Target Resolution	Owner
Overlap of service				Open	12/31/19	Kortus, Julie
Rates				Open	11/30/18	Kortus, Julie
Dependency on Network Resources				Open	2/14/19	Kortus, Julie
Current Risks					More Risks...	
Risk	Probability	Impact	Priority	Status	Target Resolution	Owner
Bandwidth				Open	2/14/19	Kortus, Julie
Billing Developer being reassigned to another project				Open	2/28/19	Kortus, Julie









Project Storyboard: Medicaid Eligibility & Enrollment System

Project Manager		Spaulding, Don		Status Report Date		10/3/19		Project Dates			Status Report Indicators			
Project Type				Status		Approved			Start	Finish	Overall			
Stage		Build		Progress		Started		Plan	6/1/18	4/30/22	Schedule			
Total Estimated Cost		\$81,200,000.00		Estimate to Complete		77.98%		Baseline	6/1/18	4/30/22	Scope			
Actual Cost To Date		\$63,318,485.00						Days Late	0	0	Cost and Effort			
Project Description								Key Accomplishments						
<p>The Affordable Care Act (ACA) included numerous provisions with significant information systems impacts. One of the requirements was to change how Medicaid Eligibility was determined and implement the changes effective 10/1/2014. As a result of the lack of time available to implement a long-term solution, the Department of Health and Human Services implemented a short-term solution in the current environment to meet initial due dates and requirements. This solution did not meet all Federal technical requirements for enhanced Federal funding but was approved on the assumption that a long-term solution would be procured. An RFP was developed and procurement has been completed with Wipro selected as the Systems Integrator for the IBM/Curam software.</p>														
Status Report Update								Upcoming Activities						
<p>Gartner, Inc. has been hired to conduct the assessment of the EES II project, and began work 06/04/19. Gartner’s objectives are to provide 5 deliverables, including an environmental assessment, a comprehensive alternatives analysis, and a roadmap with actionable recommendations for implementing an Eligibility and Enhancement modernization project.</p> <p>The five deliverables were completed on time and budget in September 2019. DHHS is reviewing the recommendations and determining next steps.</p>														
Issues by Priority				Risks by Priority				Current Issues						
								No matching records were found						

Project Storyboard: Medicaid Management Information System Replacement Project (MMIS)

Project Manager		Spaulding, Don	Status Report Date	10/2/19	Project Dates			Status Report Indicators		
Project Type		Major Project	Status	Approved	Start			Overall		
Stage		Build	Progress	Started	Finish			Schedule		
Total Estimated Cost		\$113,600,000.00	Estimate to Complete	15.29%	Plan	7/1/14	4/30/20	Scope		
Actual Cost To Date		\$17,363,786.07			Baseline	7/1/14	4/30/20	Cost and Effort		
Project Description					Key Accomplishments					
<p>Medicaid and Long-Term Care (MLTC) has undertaken a strategic transformation toward a vision for a Medicaid enterprise that is fundamentally data-driven. This project supports the programmatic shift by giving the stakeholders access to claims and clinical data and appropriate analytic tools. This project of building a comprehensive data management and analytics (DMA) platform is aligned with the CMS modular approach to building system and operational capabilities. The current system consisting of legacy MMIS and Truven DW/DSS has several limitations that warrant the need to re-engineer the data management and analytical operations. The DMA system is envisioned to be the core repository for the State to address all its information and data needs.</p>					<ul style="list-style-type: none"><li>• Completed scope confirmation and updated integrated master schedule. New schedule baseline created.</li><li>• Completed multiple deliverable expectation document (DED) and deliverable reviews.</li><li>• The State is continuing to work with Deloitte to refine content and functionality for previously rejected DDI contract deliverables, which lacked completeness for acceptance.</li><li>• Continued DMA Managed Care Entity (MCE) outreach and planning efforts.</li><li>• The State completed a review of RFP requirements internally and with Deloitte to finalize what is required for go-live.</li><li>• Continued development efforts towards the remaining RFP DDI scope.</li><li>• The State UAT execution is in progress. The UAT test case authoring is complete.</li><li>• Continued Medicaid Enterprise Certification Lifecycle (MECL) Review 2 (R2) certification efforts including certification criteria mapping, delivering Certification Evidence Documents (CEDs) for checklist items to IV&amp;V, and collecting evidence.</li><li>• The State completed an analysis of the MECL R1 mapping to the RFP requirements to confirm that certification requirements will be implemented at the appropriate time.</li><li>• Continued organizational change management (OCM) activities including hiring a new resource as OCM coordinator, OCM Project Posters, surveys, and weekly briefs, among others.</li><li>• Completed Training plan review with Deloitte and continued review of training materials; including job aides and web based training (WBT) modules.</li></ul>					
Status Report Update					Upcoming Activities					
<p>The DMA project completed its initial discovery, requirements, creation of user stories and majority of development activities in concert with systems integration partner and vendor, Deloitte Consulting, LLP.</p> <p>State and vendor reached agreement on full scope of the requirements included in the RFP in July. Amendment 2 that confirmed that scope was approved by State DAS and Deloitte on August 20th. State and vendor are now driving to complete user acceptance testing in December of 2019 and prepare for initial operating capability in April of 2020.</p>					<ul style="list-style-type: none"><li>• Continue executing per revised integrated master schedule and achieve go-live date with vendor.</li><li>• Complete Deliverable and DED review, acceptance and approval activities for upcoming and in-flight work products.</li><li>• Complete quarterly and monthly reviews of requisite deliverables.</li><li>• Review and garner State approval on past Releases, and plan for verification of upcoming release(s).</li><li>• Continue organizational change management (OCM) activities.</li><li>• Work on upcoming Operational readiness activities including go-live planning.</li><li>• Finalize HIA end users list with feedback from State Management.</li><li>• Finalize the Production Conversion approach with vendor.</li><li>• Continue DMA Truven migration and sunset planning.</li><li>• Continue to work on training activities and go-forward plan with Deloitte.</li><li>• Complete UAT test case execution to ensure the product functionality meets contractual requirements and State's expectations.</li><li>• Commence the encounter testing with MCEs.</li><li>• Complete the Project Partnership Understanding (PPU) updates and submit to CMS.</li><li>• Continue MECL R2 certification planning and documentation efforts using CMS's Medicaid Enterprise Certification Toolkit (MECT) framework.</li></ul>					

Project Storyboard: Nebraska Regional Interoperability Network (NRIN)

Project Manager		Krogman, Sue		Status Report Date		10/2/19		Project Dates			Status Report Indicators		
Project Type				Status		Approved			Start	Finish	Overall		 
Stage		Build		Progress		Started		Plan	10/1/10	8/31/19	Schedule		 
Total Estimated Cost		\$12,500,000.00		Estimate to Complete		96.00%		Baseline	10/1/10	8/31/19	Scope		 
Actual Cost To Date		\$12,000,000.00						Days Late	34	34	Cost and Effort		 
Project Description								Key Accomplishments					
<p>The Nebraska Regional Interoperability Network (NRIN) is a project that will connect a majority of the Public Safety Access Points (PSAP) across the State by means of a point to point microwave system. The network will be a true, secure means of transferring data, video and voice. Speed and stability are major expectations; therefore there is a required redundant technology base of no less than 100 mbps with 99.999% availability for each site. It is hoped that the network will be used as the main transfer mechanism for currently in-place items, thus imposing a cost-saving to local government. All equipment purchased for this project is compatible with the networking equipment of the OCIO.</p>													
Status Report Update								Upcoming Activities					
<p>Moving ahead with the installation on sites in the NE Region. Also, finishing up sites that were bypassed in the other Regions. Fiber runs are being connected from McCook to North Platte and from McCook to Axtell. SE meeting discussed finishing up their final ring or waiting on tower. NC area waiting on approval from tower owner in anticipation of direct buildout from Taylor to O'Neill.</p>													
Issues by Priority		Risks by Priority		Current Issues									
				No matching records were found									



Technical Panel  
of the  
Nebraska Information Technology Commission

**Resolution 19-01**  
**Enterprise Project Progress Reports**

WHEREAS, pursuant to the requirements of NITC Technical Standards and Guidelines sections 1-203 and 1-206, each enterprise project is required to submit periodic progress reports; and

WHEREAS, the Technical Panel is responsible for all logistical matters relating to the submission of enterprise project progress reports; and

WHEREAS, the Nebraska Office of the Chief Information Officer has a Project Management Office that implements and supports project management standards and methodologies to facilitate the implementation of information technology projects; and

WHEREAS, the Technical Panel has determined that utilizing the Project Management Office's project status review methodologies would assist the panel in its review of enterprise projects.

NOW, THEREFORE, BE IT RESOLVED BY THE TECHNICAL PANEL THAT:

1. the responsible agency for each enterprise project shall submit periodic progress reports to the Project Management Office in a format provided by the office;
2. the responsible agency for each enterprise project shall participate in project status meetings called by the Project Management Office to aid in the review of the written progress reports; and
3. the Project Management Office shall provide regular reports to the Technical Panel on the status of enterprise projects.

**State of Nebraska  
Nebraska Information Technology Commission  
Technical Standards and Guidelines**

**Proposal 12**

A PROPOSAL relating to the accessibility policy; to amend section 2-101 and subsection (156) of section 1-101; and to repeal the original section and subsection.

Section 1. Section 2-101 is amended to read:

2-101. Accessibility policy.

(1) Purpose. This policy contains scoping and technical requirements for information and communication technology ("ICT") to ensure accessibility and usability by individuals with disabilities.

(2) Definitions. For the purpose of this section, terms defined in referenced documents and not defined in section 1-101 will have the meaning as defined in the referenced documents.

(3) Standards. ICT that is procured, developed, maintained, or used by state agencies shall conform to the following standards: Revised 508 Standards, 36 C.F.R. § 1194 (2018) [<https://www.govinfo.gov/content/pkg/CFR-2018-title36-vol3/xml/CFR-2018-title36-vol3-part1194.xml>].

For the State of Nebraska, the Revised 508 Standards referenced in this subsection are revised as follows:

(a) In E103.4, replace the definition of "Existing ICT" with the following: "*Existing ICT*. ICT that has been procured, maintained or used on or before November 14, 2020.";

(b) In E202.2, replace the existing language with the following: "*Legacy ICT*. Any component or portion of existing ICT that complies with an earlier standard adopted by the commission, and

1 that has not been altered on or after November 14, 2020, shall not be required to be modified to  
2 conform to the Revised 508 Standards.”;

3 (c) In E202.3, replace the existing language with the following: “Public Safety Systems. The  
4 Revised 508 Standards do not apply to any ICT operated by state agencies as part of a public  
5 safety system.”;

6 (d) In E202.4, replace the existing language with the following: “State Contracts. ICT  
7 acquired by a contractor incidental to a contract shall not be required to conform to the Revised  
8 508 Standards.”; and

9 (e) In E203.1, replace the existing language with the following: “General. Agencies shall  
10 ensure that all functionality of ICT is accessible to and usable by individuals with disabilities,  
11 either directly or by supporting the use of assistive technology, and shall comply with E203. In  
12 providing access to all functionality of ICT, agencies shall ensure the following: A. That state  
13 employees with disabilities have access to and use of information and data that is comparable  
14 to the access and use by state employees who are not individuals with disabilities; and B. That  
15 members of the public with disabilities who are seeking information or data from a state agency  
16 have access to and use of information and data that is comparable to that provided to members  
17 of the public who are not individuals with disabilities.”.

18 (4) Guidelines. In addition to the web content requirements contained in the referenced  
19 standards in subsection (3), the commission recommends compliance with the following  
20 guidelines: Web Content Accessibility Guidelines 2.1, W3C World Wide Web Consortium  
21 Recommendation 05 June 2018 [https://www.w3.org/TR/2018/REC-WCAG21-20180605/].

22 1. Authority

23 The commission shall “[a]dopt minimum technical standards, guidelines, and architectures  
24 upon recommendation by the technical panel...” Neb. Rev. Stat. § 86-516(6).

25 2. Purpose and Objectives

1       ~~The purpose of this document is to define and clarify policies, standards, and guidelines that~~  
2 ~~will help agencies meet the needs of people with disabilities.~~

3       ~~Neb. Rev. Stat. §73-205 required the Commission for the Blind and Visually Impaired, the~~  
4 ~~Nebraska Information Technology Commission, and the Chief Information Officer to develop a~~  
5 ~~technology access clause by January 1, 2001. The Technology Access Clause applies to all~~  
6 ~~purchases of information technology. The clause includes the following provisions:~~

7       ~~"The intent and purpose of these standards is to ensure that the needs of Nebraskans with~~  
8 ~~disabilities are met through reasonable accommodation of the information technology products~~  
9 ~~and services of the state. Future information technology products, systems, and services~~  
10 ~~including data, voice, and video technologies, as well as information dissemination methods, will~~  
11 ~~comply with the following standards to the greatest degree possible."~~

12       ~~1. Effective, interactive control and use of the technology including, but not limited to, the~~  
13 ~~operating system, applications programs, and format of the data presented must be readily~~  
14 ~~achievable by individuals with disabilities. The intent is to make sure that all newly procured~~  
15 ~~information technology equipment, software and services can be upgraded, replaced or~~  
16 ~~augmented to accommodate individuals with disabilities.~~

17       ~~2. Information technology made accessible for individuals with disabilities must be~~  
18 ~~compatible with technology used by other individuals with whom the individual with a disability~~  
19 ~~must interact.~~

20       ~~3. Information technology made accessible for individuals with disabilities must be able to be~~  
21 ~~integrated into networks used to share communications among employees, program~~  
22 ~~participants, and the public.~~

23       ~~4. Information technology made accessible for individuals with disabilities must have the~~  
24 ~~capability of providing equivalent access to telecommunications or other interconnected network~~  
25 ~~services used by the general population.~~

1       ~~5. These provisions do not prohibit the purchase or use of an information technology product~~  
2 ~~that does not meet these standards provided that:~~

3       ~~a. There is no available means by which the product can be made accessible and there is~~  
4 ~~no alternate product that is or can be made accessible; or~~

5       ~~b. The information manipulated or presented by the product is inherently unalterable in~~  
6 ~~nature (i.e., its meaning cannot be preserved if it is conveyed in an alternative manner).~~

7       ~~c. The product is used in conjunction with an existing information technology system, and~~  
8 ~~modifying the existing system to become accessible would create an undue burden.~~

9       ~~d. The agency must be able to modify or replace the information technology product with~~  
10 ~~one that will accommodate the needs of individuals with disabilities.~~

11       ~~"When development, procurement, maintenance, or use of electronic and information~~  
12 ~~technology does not meet these standards, individuals with disabilities will be provided with the~~  
13 ~~information and data involved by an alternative means of access that allows the individual to~~  
14 ~~use the information and data."~~

15       ~~The primary objectives of accessibility standards and guidelines include:~~

16       ~~1. Where feasible, people with disabilities can use the same information technology systems~~  
17 ~~as people without disabilities;~~

18       ~~2. Early planning for accessibility will make it easier to provide reasonable accommodations~~  
19 ~~when information technology systems are not accessible~~

20       ~~3. Standards and Guidelines~~

21       ~~3.1. Functional Performance Criteria (Section 1194.31)~~

22       ~~3.1.1 General-Alternative Access~~

23       ~~3.1.1.1~~

24       ~~At least one mode of operation and information retrieval that does not require user vision~~  
25 ~~shall be provided, or support for Assistive Technology used by people who are blind or visually~~  
26 ~~impaired shall be provided.~~

1       ~~3.1.1.2~~

2       ~~At least one mode of operation and information retrieval that does not require visual acuity~~  
3 ~~greater than 20/70 shall be provided in audio and enlarged print output working together or~~  
4 ~~independently, or support for Assistive Technology used by people who are visually impaired~~  
5 ~~shall be provided.~~

6       ~~3.1.1.3~~

7       ~~At least one mode of operation and information retrieval that does not require user hearing~~  
8 ~~shall be provided, or support for Assistive Technology used by people who are deaf or hard of~~  
9 ~~hearing shall be provided.~~

10       ~~3.1.1.4~~

11       ~~Where audio information is important for the use of a product, at least one mode of~~  
12 ~~operation and information retrieval shall be provided in an enhanced auditory fashion, or support~~  
13 ~~for assistive hearing devices shall be provided.~~

14       ~~3.1.1.5~~

15       ~~At least one mode of operation and information retrieval that does not require user speech~~  
16 ~~shall be provided, or support for Assistive Technology used by people with disabilities shall be~~  
17 ~~provided.~~

18       ~~3.1.1.6~~

19       ~~At least one mode of operation and information retrieval that does not require fine motor~~  
20 ~~control or simultaneous actions and that is operable with limited reach and strength shall be~~  
21 ~~provided.~~

22       ~~3.2 Software Applications and Operating Systems (Section 1194.31)~~

23       ~~3.2.1 Navigation~~

24       ~~3.2.1.1~~

1       ~~When software is designed to run on a system that has a keyboard, product functions shall~~  
2 ~~be executable from a keyboard where the function itself or the result of performing a function~~  
3 ~~can be discerned textually.~~

#### 4       ~~3.2.1.2~~

5       ~~A well-defined, on-screen indication of the current focus shall be provided that moves~~  
6 ~~among interactive interface elements as the input focus changes. The focus shall be~~  
7 ~~programmatically exposed so that Assistive Technology can track focus and focus changes.~~

#### 8       ~~3.2.2 Image/Information Display~~

##### 9       ~~3.2.2.1~~

10       ~~Sufficient information about a user interface element including the identity, operation and~~  
11 ~~state of the element shall be available to Assistive Technology. When an image represents a~~  
12 ~~program element, the information conveyed by the image must also be available in text.~~

##### 13       ~~3.2.2.2~~

14       ~~When bitmap images are used to identify controls, status indicators, or other programmatic~~  
15 ~~elements, the meaning assigned to those images shall be consistent throughout an application's~~  
16 ~~performance.~~

##### 17       ~~3.2.2.3~~

18       ~~Textual information shall be provided through operating system functions for displaying text.~~  
19 ~~The minimum information that shall be made available is text content, text input caret location,~~  
20 ~~and text attributes.~~

##### 21       ~~3.2.2.4~~

22       ~~Software shall not use flashing or blinking text, objects, or other elements having a flash or~~  
23 ~~blink frequency greater than 2Hz and lower than 55 Hz.~~

#### 24       ~~3.2.3 Compatibility~~

##### 25       ~~3.2.3.1~~

Applications shall not disrupt or disable activated features of other products that are identified as accessibility features, where those features are developed and documented according to industry standards. Applications also shall not disrupt or disable activated features of any operating system that are identified as accessibility features where the application programming interface for those accessibility features has been documented by the manufacturer of the operating system and is available to the product developer.

### 3.2.4 Use of Color

#### 3.2.4.1

Applications shall not override user selected contrast and color selections and other individual display attributes.

#### 3.2.4.2

Color coding shall not be used as the only means of conveying information, indicating an action, prompting a response, or distinguishing a visual element.

#### 3.2.4.3

When a product permits a user to adjust color and contrast settings, a variety of color selections capable of producing a range of contrast levels shall be provided.

### 3.2.5 Animation

#### 3.2.5.1

When animation is displayed, the information shall be displayable in at least one non-animated presentation mode at the option of the user.

### 3.2.6 Forms

#### 3.2.6.1

When electronic forms are used, the form shall allow people using Assistive Technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

## 3.3 Web-Based Internet Information and Applications (Section 1194.22)



### 3.3.1 Navigation

#### 3.3.1.1

~~Redundant text links shall be provided for each active region of a server-side image map.~~

#### 3.3.1.2

~~Client-side image maps shall be provided instead of server-side image maps except where the regions cannot be defined with an available geometric shape.~~

#### 3.3.1.3

~~Row and column headers shall be identified for data tables.~~

#### 3.3.1.4

~~Markup shall be used to associate data cells and header cells for data tables that have two or more logical levels of row or column headers.~~

#### 3.3.1.5

~~Frames shall be titled with text that facilitates frame identification and navigation.~~

#### 3.3.1.6

~~A method shall be provided that permits users to skip repetitive navigation links.~~

### 3.3.2 Image/Information Display

#### 3.3.2.1

~~Documents shall be organized so they are readable without requiring an associated style sheet.~~

#### 3.3.2.2

~~Pages shall be designed to avoid causing the screen to flicker with a frequency greater than 2Hz and lower than 55 Hz.~~

#### 3.3.2.3

~~A text-only page, with equivalent information or functionality, shall be provided to make a web site comply with the provisions of this part, when compliance cannot be accomplished in~~

any other way. The content of the text-only page shall be updated whenever the primary page changes.

#### 3.3.2.4

When pages utilize scripting languages to display content, or to create interface elements, the information provided by the script shall be identified with functional text that can be read by Assistive Technology.

#### 3.3.2.5

When a web page requires that an applet, plug-in or other application be present on the client system to interpret page content, the page must provide a link to a plug-in or applet that complies with the provisions of Section 2 (Software Applications and Operating Systems), above.

### 3.3.3 Information Display Alternatives

#### 3.3.3.1

A text equivalent for every non-text element shall be provided (e.g., via "alt", "longdesc", or in element content).

#### 3.3.3.2

Equivalent alternatives for any multimedia presentation shall be synchronized with the presentation.

#### 3.3.3.3 Use of Color

3.3.3.3.1 Web pages shall be designed so that all information conveyed with color is also available without color, for example from context or markup.

#### 3.3.3.4 Forms

3.3.3.4.1 When electronic forms are designed to be completed on-line, the form shall allow people using Assistive Technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

#### 3.3.3.5 Time Responses

~~3.3.3.5.1 When a timed response is required, the user shall be alerted and given sufficient time to indicate more time is required.~~

### ~~3.4 Telecommunications Products (Section 1194.23)~~

#### ~~3.4.1 Image/Information Display~~

##### ~~3.4.1.1~~

~~Where provided, caller identification and similar telecommunications functions shall also be available for users of TTYs, and for users who cannot see displays.~~

##### ~~3.4.1.2~~

~~Products that transmit or conduct information or communication shall pass through cross-manufacturer, non-proprietary, industry standard codes, translation protocols, formats or other information necessary to provide the information or communication in a usable format.~~

~~Technologies which use encoding, signal compression, format transformation, or similar techniques shall not remove information needed for access or shall restore it upon delivery.~~

#### ~~3.4.2 Technology Links Compatibility~~

##### ~~3.4.2.1~~

~~Telecommunications products or systems, which offer voice communication but do not include TTY functionality, shall provide a standard non-acoustic connection point for TTYs. Microphones shall be capable of being turned on and off to allow the user to intermix speech with TTY use.~~

##### ~~3.4.2.2~~

~~Telecommunications products, which include voice communication functionality, shall support all commonly used cross-manufacturer non-proprietary standard TTY signal protocols.~~

##### ~~3.4.2.3~~

~~Where a telecommunications product delivers output by an audio transducer which is normally held up to the ear, a means for effective magnetic wireless coupling to hearing technologies shall be provided.~~

1       3.4.2.4

2       Interference to hearing technologies(including hearing aids, cochlear implants, and assistive  
3 listening devices) shall be reduced to the lowest possible level that allows a user of hearing  
4 technologies to utilize the telecommunications product.

5       3.4.3 Volume Control

6       3.4.3.1

7       For transmitted voice signals, telecommunications products shall provide again adjustable  
8 up to a minimum of 20 dB. For incremental volume control, at least one intermediate step of 12  
9 dB of gain shall be provided.

10      3.4.3.2

11      If the telecommunications product allows a user to adjust the receive volume, a function  
12 shall be provided to automatically reset the volume to the default level after every use.

13      3.4.4 Voice Mail

14      3.4.4.1

15      Voice mail, auto-attendant, and interactive voice response telecommunications systems  
16 shall be usable by TTY users with their TTYs.

17      3.4.4.2

18      Voice mail, messaging, auto-attendant, and interactive voice response telecommunications  
19 systems that require a response from a user within a time interval, shall give an alert when the  
20 time interval is about to run out, and shall provide sufficient time for the user to indicate more  
21 time is required.

22      3.4.5 Controls or Keys/Physical Operation

23      3.4.5.1

24      Products, which have mechanically operated controls or keys, shall comply with the  
25 following: Controls and Keys shall be tactilely discernible without activating the controls or keys.

26      3.4.5.2

~~Products which have mechanically operated controls or keys shall comply with the following:  
Controls and Keys shall be operable with one hand and shall not require tight grasping,  
pinching, twisting of the wrist. The force required to activate controls and keys shall be 5lbs.  
(22.2N)maximum.~~

#### ~~3.4.5.3~~

~~Products, which have mechanically operated controls or keys, shall comply with the  
following: If key repeat is supported, the delay before repeat shall be adjustable to at least 2  
seconds. Key repeat rate shall be adjustable to 2 seconds per character.~~

#### ~~3.4.5.4~~

~~Products which have mechanically operated controls or keys shall comply with the following:  
The status of all locking or toggle controls or keys shall be visually discernible, and discernible  
either through touch or sound.~~

### ~~3.5 Video and Multi-Media Products (Section 1194.24)~~

#### ~~3.5.1 TV~~

##### ~~3.5.1.1~~

~~All analog television displays 13 inches and larger, and computer equipment that includes  
analog tele-vision receiver or display circuitry, shall be equipped with caption decoder circuitry  
which appropriately receives, decodes, and displays closed captions from broadcast, cable,  
videotape, and DVD signals. As soon as practicable, but not later than July 1, 2002, wide  
screen digital television (DTV) displays measuring at least 7.8 inches vertically, DTV sets with  
conventional displays measuring at least 13 inches vertically, and stand-alone DTV tuners,  
whether or not they are marketed with display screens, and computer equipment that includes  
DTV receiver or display circuitry, shall be equipped with caption decoder circuitry which  
appropriately receives, decodes, and displays closed captions from broadcast, cable, videotape,  
and DVD signals.~~

##### ~~3.5.1.2~~

1 ~~Television tuners, including tuner cards for use in computers, shall be equipped with~~  
2 ~~secondary audio program playback circuitry.~~

### 3 ~~3.5.2 Video and Multi-Media~~

#### 4 ~~3.5.2.1~~

5 ~~All training and informational video and multimedia productions which support the agency's~~  
6 ~~mission, regardless of format, that contain speech or other audio information necessary for the~~  
7 ~~comprehension of the content, shall be open or closed captioned.~~

#### 8 ~~3.5.2.2~~

9 ~~All training and informational video and multimedia productions, which support the agency's~~  
10 ~~mission, regardless of format, that contain visual information necessary for the comprehension~~  
11 ~~of the content, shall be audio described.~~

#### 12 ~~3.5.3.2~~

13 ~~Display or presentation of alternate text presentation or audio descriptions shall be user-~~  
14 ~~selectable unless permanent.~~

### 15 ~~3.6 Self-Contained, Closed Products (Section 1194.25)~~

#### 16 ~~3.6.1~~

17 ~~Self-contained products shall be usable by people with disabilities without requiring an end-~~  
18 ~~user to attach Assistive Technology to the product. Personal headsets for private listening are~~  
19 ~~not Assistive Technology.~~

#### 20 ~~3.6.2 Response Time~~

##### 21 ~~3.6.2.1~~

22 ~~When a timed response is required, the user shall be alerted and given sufficient time to~~  
23 ~~indicate more time is required.~~

#### 24 ~~3.6.3 Controls or Keys/Physical Operation~~

##### 25 ~~3.6.3.1~~

1       Where a product utilizes touch screens or contact sensitive controls, an input method shall  
2       be provided that complies with the provisions in Section 4.e, above.

### 3       3.6.3.2

4       When biometric forms of user identification or control are used, an alternative form of  
5       identification or activation, which does not require the user to possess particular biological  
6       characteristics, shall also be provided.

### 7       3.6.4 Audio/Voice Output

#### 8       3.6.4.1

9       When products provide auditory output, the audio signal shall be provided at a standard  
10      signal level through an industry standard connector that will allow for private listening. The  
11      product must provide the ability to interrupt, pause, and restart the audio at any time.

#### 12      3.6.4.2

13      When products deliver voice output in a public area, incremental volume control shall be  
14      provided with output amplification up to a level of at least 65 dB. Where the ambient noise level  
15      of the environment is above 45 dB, a volume gain of at least 20 dB above the ambient level  
16      shall be user selectable. A function shall be provided to automatically reset the volume to the  
17      default level after every use.

#### 18      3.6.4.3 Use of Color

19      3.6.4.3.1 Color coding shall not be used as the only means of conveying information,  
20      indicating an action, prompting a response, or distinguishing a visual element.

21      3.6.4.3.2 When a product permits a user to adjust color and contrast settings, a range of  
22      color selections capable of producing a variety of contrast levels shall be provided.

#### 23      3.6.4.4 Image/Information Display

24      3.6.4.4.1 Products shall be designed to avoid causing the screen to flicker with a frequency  
25      greater than 2 Hz and lower than 55 Hz.

#### 26      3.6.4.5 Location Accessibility

1       ~~3.6.4.5.1 Products which are freestanding, non-portable, and intended to be used in one~~  
2 ~~location and which have operable controls shall comply with the following: The position of any~~  
3 ~~operable control shall be determined with respect to a vertical plane, which is 48 inches in~~  
4 ~~length, centered on the operable control, and at the maximum protrusion of the product within~~  
5 ~~the 48-inch length on products which are freestanding, non-portable, and intended to be used in~~  
6 ~~one location and which have operable controls.~~

7       ~~3.6.4.5.2 Products which are freestanding, non-portable, and intended to be used in one~~  
8 ~~location and which have operable controls shall comply with the following: Where any operable~~  
9 ~~control is 10 inches or less behind the reference plane, the height shall be 54 inches maximum~~  
10 ~~and 15 inches minimum above the floor.~~

11       ~~3.6.4.5.3 Products which are freestanding, non-portable, and intended to be used in one~~  
12 ~~location and which have operable controls shall comply with the following: Where any operable~~  
13 ~~control is more than 10 inches and not more than 24 inches behind the reference plane, the~~  
14 ~~height shall be 46 inches maximum and 15 inches minimum above the floor.~~

15       ~~3.6.4.5.4 Products, which are free-standing, non-portable, and intended to be used in one~~  
16 ~~location and which have operable controls shall comply with the following: Operable controls~~  
17 ~~shall not be more than 24 inches behind the reference plane.~~

### 18       ~~3.7 Desktop and Portable Computers (Section 1194.26)~~

#### 19       ~~3.7.1~~

20       ~~Where provided, at least one of each type of expansion slots, ports and connectors shall~~  
21 ~~comply with publicly available industry standards.~~

#### 22       ~~3.7.2 Controls or Keys/Physical Operation~~

##### 23       ~~3.7.2.1~~

24       ~~All mechanically operated controls and keys shall comply with the provisions of Section 4.3,~~  
25 ~~above.~~

##### 26       ~~3.7.2.2~~



1       ~~If a product utilizes touch screens or touch-operated controls, an input method shall be~~  
2 ~~provided that complies with the provisions of section 4.3, above.~~

### 3       ~~3.7.3~~

4       ~~When biometric forms of user identification or control are used, an alternative form of~~  
5 ~~identification or activation, which does not require the user to possess particular biological~~  
6 ~~characteristics, shall also be provided.~~

## 7       ~~4. Definitions~~

8       ~~Agency: shall mean any governmental entity, including state government, local government,~~  
9 ~~or third party entities under contract to the agency.~~

10       ~~Alternate formats: are usable by people with disabilities and may include, but are not limited~~  
11 ~~to, Braille, ASCII text, large print, recorded audio, and electronic formats that comply with this~~  
12 ~~part.~~

13       ~~Alternate methods: are different means of providing information, including product~~  
14 ~~documentation, to people with disabilities. Alternate methods may include, but are not limited to,~~  
15 ~~voice, fax, relay service, TTY, Internet posting, captioning, text-to-speech synthesis, and audio~~  
16 ~~description.~~

17       ~~Assistive technology: includes any item, piece of equipment, or system, whether acquired~~  
18 ~~commercially, modified, or customized, that is commonly used to increase, maintain, or improve~~  
19 ~~functional capabilities of individuals with disabilities.~~

20       ~~Electronic and information technology: includes information technology and any equipment~~  
21 ~~or interconnected system or subsystem of equipment, that is used in the creation, conversion, or~~  
22 ~~duplication of data or information. The term electronic and information technology includes, but~~  
23 ~~is not limited to, telecommunications products (such as telephones) information kiosks, and~~  
24 ~~transaction machines, World Wide Websites, multimedia, and office equipment such as copies~~  
25 ~~and fax machines. The term does not include any equipment that contains embedded~~  
26 ~~information technology that is used as an integral part of the product, but the principal function~~

1 of which is not the acquisition, storage, manipulation, management, movement, control, display,  
2 switching, interchange, transmission, or reception of data or information. For example, HVAC  
3 (heating, ventilation, and air conditioning) equipment such as thermostats or temperature control  
4 devices, and medical equipment where information technology is integral to its operation, are  
5 not information technology.

6 Equivalent facilitation: provides that nothing in this part is intended to prevent the use of  
7 designs or technologies as alternatives to those prescribed in this part provided they result in  
8 substantially equivalent or greater access to and use of a product for people with disabilities.

9 Information technology: is any equipment or interconnected system or subsystem of  
10 equipment, that is used in the automatic acquisition, storage, manipulation, management,  
11 movement, control, display, switching, interchange, transmission, or reception of data or  
12 information. The term information technology includes computers, ancillary equipment, software,  
13 firmware and similar procedures, services (including support services), and related resources.

14 Operable controls: are the component of a product that requires physical contact for normal  
15 operation. Operable controls include, but are not limited to, mechanically operated controls,  
16 input and output trays, card slots, keyboards, or keypads.

17 Product: is an electronic and information technology.

18 Self-contained, Closed Products: are products that generally have embedded software and  
19 are commonly designed in such a fashion that a user cannot easily attach or install assistive  
20 technology. These products include, but are not limited to, information kiosks and information  
21 transaction machines, copiers, printers, calculators, fax machines, and other similar types of  
22 products.

23 Telecommunications: are the transmission, between or among points specified by the user,  
24 of information of the user's choosing, without change in the form or content of the information as  
25 sent and received.

1        ~~TTY: is an abbreviation for teletypewriter. Machinery or equipment that employs interactive~~  
2 ~~text-based communications through the transmission of coded signals across the telephone~~  
3 ~~network. TTY's may include, for example, devices known as TDDs (telecommunication display~~  
4 ~~devices) or telecommunication devices for deaf persons) or computers with special modems.~~  
5 ~~TTYs are also called text telephones.~~

6        ~~Undue burden: means significant difficulty or expense. In determining whether an action~~  
7 ~~would result in an undue burden, an agency shall consider all agency resources available to the~~  
8 ~~program or component for which the product is being developed, procured, maintained, or used.~~

## 9        ~~5. Applicability~~

### 10       ~~General Statement~~

11       ~~These policies are intended to be sufficiently generic to apply to a wide range of~~  
12 ~~governmental and educational agencies in the State of Nebraska. Each agency or operational~~  
13 ~~entity must develop detailed procedures to implement broad policies and standards.~~  
14 ~~Compliance with these accessibility policies and standards will be a requirement during~~  
15 ~~consideration of funding for any projects requiring review by the NITC. Compliance may be used~~  
16 ~~in audit reviews or budget reviews.~~

### 17       ~~Compliance and Enforcement Statement~~

18       ~~The Governing board or chief administrative officer of each organization must develop~~  
19 ~~internal compliance and enforcement policies as part of its information accessibility efforts. Such~~  
20 ~~policies should be reasonable and effective. The NITC intends to incorporate adherence to~~  
21 ~~accessibility policies as part of its evaluation and prioritization of funding requests. The NITC~~  
22 ~~recommends that the Governor and Legislature give due consideration to requests for~~  
23 ~~accessibility improvements during the budget process.~~

## 24       ~~6. Responsibility~~

25       ~~An effective program for accessibility involves cooperation of many different entities. Major~~  
26 ~~participants and their responsibilities include:~~

#### ~~6.1 Nebraska Information Technology Commission~~

~~The NITC provides strategic direction for state agencies and educational institutions in the area of information technology. The NITC also has statutory responsibility to adopt minimum technical standards and guidelines for acceptable and cost-effective use of information technology. Implicit in these requirements is the responsibility to promote adequate accessibility for information systems through adoption of policies, standards, and guidelines.~~

#### ~~6.2 Technical Panel Accessibility Work Group~~

~~The NITC Technical Panel, with advice from the Accessibility Work Group, has responsibility for recommending accessibility policies and guidelines and making available best practices to operational entities.~~

#### ~~6.3 Assistive Technology Partnership~~

~~The Nebraska Assistive Technology Partnership provides training, loan devices and support for accommodations in compliance with Section 508 and the Technology Access Clause. Training and support is available to governmental agencies, schools, businesses, and non-profit organizations.~~

#### ~~6.4 University of Nebraska Accommodation Resource Center~~

~~The Accommodation Resource Center (ARC) provides training, loan devices and support for accommodation using assistive technology in both the education and employment environment. The ARC website~~

#### ~~6.5 Federal Information Technology Accessibility Initiative~~

~~The Federal Information Technology Accessibility Initiative (FITA) is an interagency effort, coordinated by the General Services Administration, to offer technical assistance and to provide an information means of cooperation and sharing of information on implementation of Section 508. Questions about 508 standards can be sent to 508@access-board.gov.~~

#### ~~6.6 Web Accessibility Initiative~~

1       ~~The Web Accessibility Initiative has created guidelines, which are grouped by priority and~~  
2       ~~are very similar to the final Section 508 rules. The guidelines can be found at W3.~~

### 3       ~~6.7 Agency and Institutional Heads~~

4       ~~The highest authority within an agency or institution is responsible for accessibility of~~  
5       ~~information resources that are consistent with this policy. The authority may delegate this~~  
6       ~~responsibility but delegation does not remove the accountability.~~

### 7       ~~6.8 Information Technology Staff~~

8       ~~Technical staff must be aware of the opportunities and responsibility to meet the goals of~~  
9       ~~accessibility of information systems.~~

## 10       ~~7. Related Policies, Standards and Guidelines~~

### 11       ~~1. Nebraska Technology Access Clause~~

### 12       ~~2. Nebraska Technology Access Clause Checklist (Questions to Consider)~~

#### 13       ~~a. Desktop and Portable Computers~~

#### 14       ~~b. Video and Multimedia Products~~

#### 15       ~~c. Software Application and Operating Systems~~

#### 16       ~~d. Self-Contained, Closed Products~~

#### 17       ~~e. Telecommunications Products~~

#### 18       ~~f. Web Page Accessibility Questionnaire~~

### 19       ~~3. Section 504 of the Rehabilitation Act~~

20       ~~4. Electronic and Information Technology Accessibility Standards, Architectural and~~  
21       ~~Transportation Barriers Compliance Board, 36 CFR Part 1194 can be found at Access Board.~~

22       Sec. 2. Subsection (156) of section 1-101 is amended to read:

23       (156) "Web page" means a non-embedded resource obtained from a single Universal  
24       Resource Identifier (URI) using Hypertext Transfer Protocol (HTTP) plus any other resources  
25       that are provided for the rendering, retrieval, and presentation of content ~~a document stored on~~  
26       ~~a server, consisting of an HTML file and any related files for scripts and graphics, viewable~~

1 ~~through a web browser on the World Wide Web. Files linked from a web page such as Word~~  
2 ~~(.doc), Portable Document Format (.pdf), and Excel (.xls) files are not web pages, as they can~~  
3 ~~be viewed without access to a web browser.~~

4       Sec. 3. Original section 2-101 and subsection (156) of section 1-101 are repealed.

5       Sec. 4. This proposal takes effect when approved by the commission.

**State of Nebraska  
Nebraska Information Technology Commission  
Technical Standards and Guidelines**

**Proposal 13**

A PROPOSAL to repeal resource document 2-RD-01.

- 1 Section 1. The following resource document is outright repealed: 2-RD-01.
- 2 Sec.2. This proposal takes effect when approved by the Technical Panel.

**State of Nebraska  
Nebraska Information Technology Commission  
Technical Standards and Guidelines**

**Proposal 14**

A PROPOSAL to adopt a new section relating to authority and applicability.

1           Section 1. 1-102. Authority; applicability.

2           (1) Authority. These technical standards and guidelines are adopted pursuant to Neb. Rev.  
3 Stat. § 86-516, which provides:

4           “The commission shall: ... (6) Adopt minimum technical standards, guidelines, and  
5 architectures upon recommendation by the technical panel. Such standards and  
6 guidelines shall not unnecessarily restrict the use of new technologies or prevent  
7 commercial competition, including competition with Network Nebraska; ....”

8           (2) Applicability. These technical standards and guidelines apply to all state agencies,  
9 boards, and commissions, except the following:

10           (a) The Legislature;

11           (b) The Supreme Court and other judicial branch entities;

12           (c) Offices of the constitutional officers established in article IV of the Nebraska Constitution;

13           (d) Educational entities established in article VII of the Nebraska Constitution; and

14           (e) Such other agencies or entities established by the Nebraska Constitution.

15           (3) For the agencies and entities listed in subsections (2)(a) through (2)(e), standards or  
16 other mandatory requirements contained in these technical standards and guidelines should be  
17 treated as guidelines or recommendations.

18           Sec. 2. This proposal takes effect when approved by the commission.



**State of Nebraska**  
**Nebraska Information Technology Commission**  
**Technical Standards and Guidelines**

**Proposal 15**

A PROPOSAL relating to the Information Security Policy; to amend sections 8-102, 8-103, 8-204, and subsections 8-802(1)(d)(iii) and 8-802(1)(e); and to repeal the original sections and subsections.

Section 1. Section 8-102 is amended to read:

8-102. Scope.

This policy is applicable to state agencies, boards, and commissions, excluding higher education entities. This policy applies to all information technology systems for which the state has administrative responsibility, including systems managed or hosted by third parties on behalf of an agency. In the event an agency has developed policies or additional requirements for information security, the more restrictive policy will apply.

Portions of this policy are based on the standards, guidelines, and best practices developed by the National Institute of Standards and Technology (NIST), including the NIST Cybersecurity Framework (<https://www.nist.gov/cyberframework>) and related publications (<https://csrc.nist.gov/publications>). Additional items contained in these NIST publications—that are not included in this policy—should be treated as guidance and best practices to be followed by agencies as appropriate.

Sec.2. Section 8-103 is amended to read:

8-103. Roles and responsibilities.

(1) State Agencies. Agencies that create, use, or maintain information systems for the state must ~~create and maintain~~ establish and manage an information security program consistent with

1 this policy to ensure the confidentiality, availability, and integrity of the state's information  
2 assets. Agencies may work with the Office of the Chief Information Officer for assistance with  
3 implementing an information security program.

4 (2) Office of the Chief Information Officer. The Office of the Chief Information Officer is  
5 responsible for recommending policies and guidelines for acceptable and cost-effective use of  
6 information technology in noneducation state government.

7 (3) State Information Security Officer. The state information security officer ~~performs~~ serves  
8 as a security consultant to agencies and agency information security officers to assist the  
9 agencies in meeting the requirements of this policy. The state information security officer may  
10 also perform ~~periodic reviews~~ assessments of agency security for risk and compliance with this  
11 policy and other security policies and standards the NIST Cybersecurity Framework.

12 (4) Agency Information Security Officer. An agency information security officer may be  
13 designated at the discretion of the agency. The agency information security officer has ~~overall~~  
14 the responsibility for ensuring ~~the~~ implementation, enhancement, monitoring, and enforcement  
15 of ~~the~~ information security policies and standards for their agency. The agency information  
16 security officer may collaborate with the Office of the CIO on information security initiatives  
17 within the agency. ~~The agency information security officer is responsible for providing direction~~  
18 ~~and leadership to the agency through the recommendation of security policies, standards,~~  
19 ~~processes and education and awareness programs to ensure that appropriate safeguards are~~  
20 ~~implemented, and to facilitate compliance with those policies, standards and processes. The~~  
21 ~~agency information security officer is responsible for investigating all alleged information~~  
22 ~~security violations. In this role, the agency information security officer will follow agency~~  
23 ~~procedures for referring the investigation to other investigatory entities, including law~~  
24 ~~enforcement. The agency information security officer will coordinate and oversee security~~  
25 ~~program activities and reporting processes in support of this policy and other security initiatives.~~

1 (5) Nebraska Information Technology Commission. The Nebraska Information Technology  
2 Commission is the owner of this policy with statutory responsibility to adopt minimum technical  
3 standards, guidelines, and architectures.

4 (6) Technical Panel. The Technical Panel is responsible for recommending technical  
5 standards and guidelines to be considered for adoption by the Nebraska Information  
6 Technology Commission.

7 (7) State Government Council. The State Government Council is an advisory group  
8 chartered by the Nebraska Information Technology Commission to provide recommendations  
9 relating to state government agencies.

10 (8) Security Architecture Workgroup. The Security Architecture Workgroup is ~~a workgroup~~  
11 chartered by the State Government Council to make recommendations to the State Government  
12 Council and Technical Panel on matters relating to security within state government; provide  
13 information to state agencies, policy makers, and citizens about real or potential security threats  
14 or vulnerabilities that could impact state business security issues; document and communicate  
15 existing problems, potential points of vulnerability, and related risks; and, determine security  
16 requirements of state agencies stemming from state and federal laws, ~~or~~ regulations, and other  
17 applicable standards.

18 Sec.3. Section 8-204 is amended to read:

19 8-204. Email.

20 Users of the state email system must not set up rules, or use any other methodology, to  
21 automatically forward all or substantially all emails to a personal or other account outside of the  
22 state network unless approved by the state information security officer ~~or~~ and if applicable, the  
23 agency information security officer.

24 CONFIDENTIAL or RESTRICTED data must not be sent by email, or stored in the email  
25 system, unless it has been encrypted using technology approved by the state information  
26 security officer ~~or~~ and if applicable, the agency information security officer.

1           Sec.4. Subsection 8-802(1)(d)(iii) is amended to read:

2   Report to ~~state of~~ agency management on a regular schedule with status and action plans;

3           Sec.5. The second sentence in the second paragraph of subsection 8-802(1)(e) is  
4   amended to read:

5   All personnel involved ~~any~~ in an incident management support activity will communicate only  
6   with the parties necessary for incident analysis or recovery activity, and to the state information  
7   security officer, Office of the CIO, or the agency information technology team.

8           Sec.6. Original section sections 8-102, 8-103, 8-204, and subsections 8-802(1)(d)(iii)  
9   and 8-802(1)(e) are repealed.

10          Sec.7. This proposal takes effect when approved by the commission.