

751—7.1(8D) Definitions. For the purposes of interpreting these rules, the following definitions are applicable.

“Authorized facility” means a site operated by an authorized user that is consistent with the written mission of the authorized user.

“Authorized use” means use of the network by an authorized user or by persons acting on behalf of an authorized user as provided in this chapter for the following purposes of the authorized user: (1) state or federal communications as defined in this chapter; (2) education or educational purposes as defined in this chapter; (3) training programs provided under state law and training programs developed by authorized users; (4) telemedicine or related purposes as defined in this chapter; (5) official governmental use by a state agency or a federal agency as defined in this chapter consistent with authorized purposes under applicable state or federal law; (6) establishing and operating a shared data only network for law enforcement, emergency management, disaster services, emergency warning and other emergency information dissemination services to federal, state and local law enforcement agencies and local emergency management offices; or (7) city of Des Moines.

“Authorized user” means a private or public agency except for a public or private agency which was required pursuant to Iowa Code section 8D.9(1) to certify to the commission not later than July 1, 1994, of the agency’s intent to become a part of the network and which did not provide such certification. Agencies that obtain legislative approval to join the network after July 1, 1994, will be treated as a public or private agency for purposes of this definition and all provisions of Iowa Code chapter 8D.

“Commission” means the Iowa telecommunications and technology commission.

“Dial-up access” means the ability of an authorized user using technical or mechanical means to access a computer network using a telecommunications facility and modem.

“Direct connection” means a connection to the network by an authorized facility using owned, leased or contracted telecommunications facilities.

“Educational use” means a use that is within the written mission of an accredited nonpublic school, a nonprofit institution of higher education eligible for tuition grants, an institution under the control of the board of regents, a school corporation, a city library, a regional library as provided in Iowa Code chapter 256, and a county library as provided in Iowa Code chapter 336.

“Federal agency” means each board, commission, department, or agency of the executive, legislative, and judicial branches of the United States, or the U.S. Post Office which receives a federal grant for pilot or demonstration projects or the independent establishments and corporations of the federal government as identified from time to time in The United States Government Manual, the official handbook of the federal government, published on an annual basis by the Office of the Federal Register as a special edition of the Federal Register. The Manual includes comprehensive information on the agencies of the legislative, judicial, and executive branches. The Manual also includes information on quasi-official agencies; international organizations in which the United States participates and boards, commissions and committees of the federal government. For example, independent establishments and corporations may include the following:

- Central Intelligence Agency
- Commodity Futures Trading Commission
- Consumer Product Safety Commission
- Defense Nuclear Facilities Safety Board
- Environmental Protection Agency
- Export-Import Bank of the United States
- Federal Communications Commission
- Federal Deposit Insurance Corporation
- Federal Election Commission
- Federal Emergency Management Agency
- Federal Reserve System
- Federal Trade Commission
- Federal Trade Commission’s Consumer Line
- General Services Administration

National Aeronautics and Space Administration
 National Archives and Records Administration
 National Credit Union Administration
 National Foundation on the Arts and the Humanities
 National Endowment for the Arts
 National Endowment for the Humanities
 National Railroad Passenger Corporation (Amtrak)
 National Science Foundation
 Nuclear Regulatory Commission
 Peace Corps
 Pension Benefit Guaranty Corporation
 Railroad Retirement Board
 Securities and Exchange Commission
 Selective Service System
 Small Business Administration
 Social Security Administration
 Tennessee Valley Authority
 United States Arms Control and Disarmament Agency
 United States Information Agency
 United States International Development Cooperation Agency
 United States International Trade Commission
 United States Postal Service
 United States Trade Representative

“Internet access” means access to the Internet and its successors.

“Internet service provider” means a private for-profit or a not-for-profit service provider who acts as a gateway to the Internet and its successors.

“Library” means a city library, a regional library as provided in Iowa Code chapter 256, or a county library as provided in Iowa Code chapter 336, or a library that is part of an authorized user facility and which may be a center for lifelong learning within a community, provides equity of access to information and publications in all formats whether actually stored at the library or off site, to enhance the lives of its customers regardless of age, color, creed, national origin, race, religion, marital status, gender, physical disability or familial status, economic or social status, or location, and is a place for people to gather for meetings, classes and discussion groups.

“Network” means the Iowa communications network, the fiberoptic network owned and leased by the state of Iowa and operated by the commission.

“Part I” means the communications connections between the central switching hub of the network located at joint forces headquarters (JFHQ) armory and the 15 community colleges, the universities governed by the board of regents and Iowa public television and the other regional switching centers for the remainder of the network. These are state-owned facilities.

“Part II” means the communications connections between the Part I regional switching centers and each of the 99 counties located in the state. These are state-owned facilities.

“Part III” means the communication connections between the secondary switching centers and the school districts and libraries and any other private or public agency authorized by the general assembly to connect to the network. Part III consists of primarily leased equipment and telecommunications facilities except that some sites are owned by the state as designated by the general assembly.

“Person” means an individual, corporation, limited liability company, or any other legal entity.

“Private agency” means an accredited nonpublic school, a nonprofit institution of higher education eligible for tuition grants, or a hospital licensed pursuant to Iowa Code chapter 135B or a physician clinic to the extent provided in Iowa Code section 8D.13, subsection 16.

“Public agency” means a state agency, an institution under the control of the board of regents, the judicial department as provided in Iowa Code section 8D.13, subsection 17, a school corporation, a city library, a regional library as provided in Iowa Code chapter 256, a county library as provided in

Iowa Code chapter 336, or a judicial district department of correctional services established in Iowa Code section 905.2 to the extent provided in Iowa Code section 8D.13, subsection 15, an agency of the federal government, or a U.S. Post Office which receives a federal grant for pilot and demonstration projects. "Public agency" also includes any homeland security or defense facility or disaster response agency established by the administrator of the homeland security and emergency management division of the department of public defense or the governor, or any facility connected with a security or defense system or disaster response as required by the administrator of the homeland security and emergency management division of the department of public defense or the governor.

"Requesting authorized user" means an authorized user initiating a network video scheduling request regardless of the specific site from which the event originates.

"School" means an accredited nonpublic school, a nonprofit institution of higher education eligible for tuition grants, an institution under the control of the board of regents, or a school corporation.

"State agency" means each board, commission, or department of the executive, legislative, or judicial branches of the state of Iowa and other entities created or authorized by the general assembly.

"State communications" refers to the transmission of voice, data, video, the written word or other visual signals by electronic means but does not include radio and television facilities and other educational telecommunications systems and services including narrowcast and broadcast systems under the public broadcasting division of the department of education, department of transportation distributed data processing and mobile radio network, or law enforcement communications systems.

"Telecommunications facility" means a collection of fibers which originates at an access point and ends at the fiberoptic termination connector attached to other electronic and optronic equipment necessary to transmit voice, video or data transmissions across the fiberoptic network.

"Telemedicine" means use of a telecommunications system for diagnostic, clinical, consultative, data, and educational services for the delivery of health care services or related health care activities by licensed health care professionals, licensed medical professionals, and staff who function under the direction of a physician, a licensed health care professional, or hospital for the purpose of developing a comprehensive, statewide telemedicine network or education.