

Nebraska Governor's Executive Order 08-03, established the Nebraska Wireless Interoperable Network (NWIN) to function as a Council with the following purposes and charges:

Provide for the governance and policy level direction related to the planning and decisions regarding development and operation of the N-WIN; Provide leadership regarding the development of public safety communications within Nebraska; Adopt bylaws for the operation of the Council; Develop strategies and recommendations to improve operations of the N-WIN, including consultation with the Office of the Chief Information Officer (OCIO) regarding the use of new technology as it becomes available; Promote interoperability for public safety communications within Nebraska, and with border states; Provide oversight for the development of protocols, standard operating procedures and guidelines for use of the N-WIN; Coordinate and provide planning, training and exercise opportunities related to communications interoperability for all necessary and authorized public safety practitioners; Establish the terms of agreements and enter into agreements for public safety entities to operate on the N-WIN, in conjunction with the Office of Chief Information Officer (OCIO), when such arrangements are practical and in the best interests of the State and the regions; and Develop recommendations and strategies for best utilization of public funds, including grants, to improve public safety communications in Nebraska.

I. MEETINGS

A. Regular Meetings.

1. Regular meetings shall be conducted on the last Friday of each month beginning. Meeting times are subject to change but are usually begin at 2:00 p.m.
2. Public notice including the meeting location shall be provided for each meeting as required by state law.
3. All regular and special meetings of the NWIN Council shall be open to the public except for executive sessions.

B. Special Meetings.

1. Special meetings may be called at any time by the Chairperson or by the majority of members of the NWIN Council by delivering personally, by mail or by e-mail, written notice to each member of the NWIN Council at least 24 hours before the time of such meeting as specified in the notice.
2. Notice shall specify the time and place of said meeting and the business to be transacted. No other business shall be considered at such meetings.

C. Quorum.

1. A majority of the members of the NWIN Council shall constitute a quorum for the transaction of business, but a smaller number may recess from time to time until a quorum is obtained.
2. If a NWIN Council member opts to send a designee in his/her place, said member shall notify the Chairperson of his/her designee prior to the meeting. The designee shall be a (voting or non-voting?) member during their attendance.

D. Voting.

1. All actions shall require a majority vote of the members present provided a quorum is present.
2. Voting on matters shall be by consensus. If there does not appear to be a clear consensus or a specific vote is required, a voice vote or by roll call shall be taken, and the ayes and nays shall be entered in the minutes of the meeting.

3. The Chairperson will have a vote on any measure before the NWIN Council. The Chairperson may not make or second motions.

E. Rules and Order.

1. The NWIN Council shall follow modified Robert's Rules of Order as previously adopted.

F. Submitting Action Items to NWIN Council

1. Discussion Items

- a. Items for Council discussion should be forwarded to the NWIN Council for inclusion in the meeting Agenda. These items should be received no later than 48 hours prior to the start of the meeting to be included on the Agenda.
 1. Persons not on the Council should ideally, but not required to, present the material on that item. Discussion may include:
 2. Purpose of the discussion
 3. Background of their item or project
 4. If a project, progress on each component
 5. Positive contributions and additional support desired, and/or required to continue or enhance effectiveness.
 6. Requests for extensions or support should be in writing no later than one week prior to the NWIN meeting.
 - b. Council members may not take voting action on discussion items at the meeting.

2. Action Items

- Matters referred for consideration of Council action shall be summed up in the form of a proposed recommendation, directive, or motion resolution. Pertinent supportive material should also be included.
- a. Action on items requested from the previous meeting will be discussed. These item requests shall be part of the meeting Agenda.
 - b. Action items submitted in advance of this meeting will be discussed. To be considered for Council action, items must be submitted no less than 2 weeks prior to the scheduled meeting. This allows time for Council review, and for public notice of the action item requests.
 - c. After discussion, voting on recommendations or motions regarding the action items can be conducted according to established meeting rules.

G. Committees and Appointments.

1. Committees

- a. Committees may be appointed with Council approval.
- b. Committees shall have a : Chair or co-chair; specific written charge(s); timeline for completion of charge(s) or status updates; description of a final product.

2. Appointments

- a. Members of NWIN Council may be assigned as a liaison to projects or groups within NWIN.
 1. The liaisons shall help facilitate communication between oversight and operation aspects of NWIN;
 2. Review requests for action items for pertinence to project and ensure a group representative is available to answer any questions from Council.

H. Reports of Member Agencies

1. All reports from Council member's agency shall be addressed in writing to the Chairman and Members of the Council.
2. A member from each agency shall briefly describe the current activities of their department, describing their goals and objectives toward interoperability, accomplishment and timeline toward achieving those goals. Resources needed or desired (if any) toward achieving their objectives and avenues for accessing those resources should be included in the report.

I. Reports from Committees.

1. All reports from committees shall be provided in writing to the NWIN Council.
2. The Committee Chair or his/her designee shall briefly describe the current activities of their committee:
 - a. Describing their goals and objectives toward interoperability,
 - b. Accomplishment and timeline toward achieving those goals,
 - c. Resources needed or desired (if any) toward achieving their objectives and avenues for accessing those resources should be included in the report.

II. AUTHORIZED SYSTEM ACCESS

To effectively provide governance and direction to the Nebraska Wireless Interoperable Network, the NWIN Council has developed and adopted the following procedures.

A. Eligible agencies: Generally, priority access will be granted to public safety. However, all applications are subject to review by the NWIN Council.

1. Public Safety

Public safety agencies and personnel are generally considered first responders to emergency or critical incidents. Public safety agencies include:

a. Law Enforcement

- 1) Any agency recognized by the Nebraska Law Enforcement Training Center and their associated dispatch/911 operations.
- 2) Any agency recognized by US Attorney General
- 3) Any agency recognized as a tribal law-enforcement agency

b. Fire Departments

- 1) Any agency recognized by State Fire Marshal's Office
- 2) Any federally recognized fire agency/department
- 3) Any tribal fire agency/department

c. EMS and Medical facilities

- 1) Ambulances: Any licensed ambulance service
- 2) Medical Facilities: Any hospital or health care facility recognized by the Nebraska Department of Health

2. Homeland Security and Emergency Management

- a. Any emergency management agency recognized by the Nebraska Emergency Management Agency

3. Public Service

Public service agencies are publicly funded or provide services directly to support public agencies. Public service agencies include:

- a. Nebraska Department of Transportation
- b. Nebraska Department of Agriculture
- c. State of Nebraska Agencies
- d. Support Agencies
 - 1) Agencies authorized by state statute such as Red Cross, Salvation Army, and like agencies that provide support in times of emergency. To include communications service agencies that support radio maintenance or operations
 - 2) National Weather Service
 - 3) Current weather services offices
- e. Public Works – City, County or Town – Streets, Roads, Utilities, etc.
- f. Public Transportation including School Buses
- g. Court Services/Corrections
- h. Regulatory
- i. Other Governmental Agencies
- j. NWIN Council approved authorized service providers

B. Applying for System Access

Application for access to NWIN requires technical authorization to physically be able to connect to the Network and assessment of purpose and function of the applicant to connect to the Network.

1. Application Process

- a. Agencies wishing to participate in NWIN should implement the following steps:
 - i. Complete the NWIN Membership Application and the NWIN Membership Agreement. The Membership Application and Agreement are separate documents and available from the OCIO or are also available on the NWIN web site – <http://>_____
 - ii. Mail/Deliver the original to _____ at the address listed on the application.
 - iii. Coordinate feasibility, agency radios and fleet mapping with the _____.
 - iv. Console Access
 - i. Direct connected dispatch consoles must be closely coordinated and conform to the technical requirements established by the _____. Agencies requesting direct dispatch console connection to NWIN shall mark the “Communications Center” box on NWIN Membership Application and submit documentation indicating area and agencies served, channel or talkgroup recording capabilities, and console type and model.
 - ii. Channel naming for conventional channels and /or frequencies for any console that connects to NWIN shall be in a standardized format.
- b. _____ (OCIO?) will forward the application, feasibility and cost projections, and recommendation regarding admittance to the NWIN Council.

- c. The NWIN Council will review the application at a NWIN meeting. The applicant is encouraged to attend this NWIN Council meeting to answer any questions that may arise from the application. The NWIN Council will make a decision as to the application status – approved, further review or denied.
 - i. The NWIN Council decision will be communicated to the applicant as well as any documentation needed and any provision made.
 - ii. Any pending applications will be reviewed monthly for changes that would modify the applicant’s status.
- d. If approved, the applicant will coordinate with one of the authorized subscriber programming agencies for template development parameters.
- e. After approval, the applicant is encouraged to begin attending meetings and may participate in meetings on topics in which they may be interested.

2. Acceptance of New Members

- a. To ensure compliance with NWIN rules and regulations and to properly coordinate Subscriber ID and Talkgroup assignments on NWIN, the _____ will coordinate these assignments for the initial integration of the agency. This will include agency specific talkgroups as well as standard Multiple Agency Talkgroups that are available.
- b. The agency will need to discuss the talkgroup/channel layout for their radio equipment, available features and functions to be included in their programming template.
- c. The type and model of the agency’s radios will also need to be provided. Upon receiving the talkgroup assignments, subscriber profiles and authorizations the agency can then contact an authorized service provider to program subscriber’s radio equipment for use on NWIN.
- d. Upon the completion of the programming, the authorized service provider shall contact the _____ to have the subscriber ID’s activated in the master controller.

III. RELATIONSHIP MANAGEMENT/DISPUTE RESOLUTION

1. Relationship Managers

- a. Each party to the Membership Agreement will designate a member of its senior management staff who will be single points of contact involved in the operational aspects of the relationship between NWIN and the Member.
- b. NWIN will meet with the relationship manager at least annually or by request, if needed, to discuss relationship strategies affecting both parties, summarize current activities, performance results, service requests, error corrections, dispute resolutions, as well as planned activities.
- c. These meetings will follow a pre-defined agenda focusing on performance of NWIN.
- d. The member shall inform the _____ of any changes to their relationship manager in writing.

B. Dispute Resolution

- 1. If any issue of NWIN non-compliance arises, the parties agree to resolve the issue at the lowest management level of each party. In the event the issue remains unresolved, the parties agree to immediately escalate the issue to the Relationship Managers for their consideration. The Relationship Managers will consider the details of the non-compliance issue, assess whether there have been past issues of non-compliance,

determine how long the non-compliance has been continuing, determine the seriousness of the non-compliance, and negotiate, in good faith, a mutually agreeable solution. In the event the Relationship Managers cannot agree on a solution, the non-compliance issue shall be directed to the NWIN Council for resolution of the non-compliance issue.

2. Recommended procedure for non-compliance may come to the attention of various personnel as a result of routine monitoring, an audit, a report or complaint from radio members, to name a few of the possible alternatives.
3. Regardless of how the issue arises, as soon as there is awareness of non-compliance:
 - i. The individual discovering non-compliance is obliged to immediately report it to their respective relationship manager or administrator.
 - ii. Should immediate action be required, the _____ will notify the non-compliant agency of the required action. This will include a request to explain the reason for noncompliance.
 1. For urgent situations where non-compliance with these procedures is degrading the overall system performance, the NWIN (support Manger or the NWIN Support Center designee) is authorized to take necessary technical measures to change the permissions on any subscriber's radio to correct the problem immediately. Appropriate follow-up notification will be made in accordance with the relationship-management procedures.
 - iii. If immediate action is not required, the relationship managers shall negotiate, in good faith, a mutually agreeable solution.
 - iv. The relationship managers will follow up to ensure that all steps and or corrective action have been completed within the time frame.
4. If local management fails to resolve the situation within a reasonable time, the NWIN Support Manager will notify the NWIN Council.
5. If the matter is determined to be urgent by the NWIN Support Manager it will be placed on the next NWIN Council meeting agenda.
6. The NWIN Support Manager will notify the Relationship Manager of the agency not in compliance.
 - i. The date the matter will come before the NWIN Council.
 - ii. Their rights to appeal.
7. The NWIN Council will hear the issue and recommend corrective action or consequences. These will be communicated to the violator within 10 days.

C. Revocation of Privileges

The ability to communicate between full participants and non-participants in the statewide system is possible due to the inter-operational hardware and software being developed. The improper use of this hardware can have minor to grave consequences. These standards, policies and procedures have been set forth to describe how and under what conditions the statewide radio system will be used. This is essential in order to maximize service to the citizens of the state and minimize potential negative consequences. Responsible management of this resource, therefore, requires that standards, protocols and procedures be enforced and that consequences of non-compliance be developed and implemented.

1. The objective of this procedure is to describe the consequences of non-compliance. These consequences will be spelled out for varying degrees and duration of non-compliance.
2. Recommended Protocol/ Standard: Consequences of failure to comply with these standards, protocols and procedures fall into two categories of non-compliance.
 - i. **Moderate to high** - potential for serious adverse affect on participants and/or non-participants of NWIN.
 - ii. **Low** - potential for adverse affect on participants and/or non-participants of NWIN.

3. Recommended Corrective Actions or Consequences

Moderate to high

First violation	<ol style="list-style-type: none"> 1. Written order to immediately stop the non-compliant practice. Either the NWIN Support Manager, Council, owner agency of affected Systems /Sub-System may send this letter, with a copy to the all affected parties. 2. The governing body of the violating agency shall be notified of the violation.
Failure to correct problem and respond within 30 days <u>or</u> 2nd offense within 180 days	<ol style="list-style-type: none"> 1. Suspension of member privileges on NWIN to the extent of time recommended by the Council and executed by the Council Chairman with prior notification to the affected agencies.
Failure to respond within 60 days <u>or</u> 3rd offense within 180 days	<ol style="list-style-type: none"> 1. Revocation of member privileges on NWIN. This action must be recommended by the Council and executed by the Council Chairman.

Low

First violation	<ol style="list-style-type: none"> 1. Written warning calling attention to the non-compliant practice. The violator is asked to stop the non-compliant practice(s). 2. The NWIN Support Manager shall send the warning with a copy to the NWIN Council and affected parties. The governing body of the violating agency shall be notified of the violation.
Failure to respond within 30 days <u>or</u> 2nd offense within 180 days	<ol style="list-style-type: none"> 1. Written order to immediately stop the non-compliant practice or be subject to suspension or revocation of member privileges. 2. The NWIN Support Manager or the owner agency shall send this letter with a copy to the affected agencies and the NWIN Council.
Failure to respond within 60 days <u>or</u> 3rd offense within 180 days	<ol style="list-style-type: none"> 1. Suspension or revocation of member privileges on NWIN. The specific penalty must be recommended by the NWIN Council and executed by the NWIN Council Chairman.

D. Appeals

1. All members of NWIN, whether full participants or conventional members connecting by means of inter-operational infrastructure, have the right to appeal a procedure, a decision or a sanction set forth.
2. In the event of a dispute regarding the outcome of non-compliance procedures, an aggrieved party may file a written appeal to reverse recommendations or sanctions within 10 days of issuance of directives.
3. Within ten days of receiving a request for appeal, the NWIN Council Chairman shall provide written notice of the request to all involved parties and set a date for an appeal hearing at the next regularly scheduled NWIN Council meeting that complies with public notification requirements.
4. The NWIN Council, after a hearing on the matter, shall make a decision regarding the dispute within 60 days and transmit an order to all parties involved. The action called for shall be implemented in accordance with the order. Copies of the order will be mailed to all affected parties, the NWIN Council Chairman and the NWIN Support Manager.