

Policy No. 103 – Technology Policy and Standards Waiver Request

PURPOSE

One of the statutory functions of the state Chief Information Officer and the Office of the Chief Information Officer is the establishment of technology policy and standards. Agencies are required to comply with technology policies and standards unless a specific waiver is granted.

This policy provides for a waiver process to be used when an agency is unable to be immediately in compliance with an established technology policy and/or standard. A waiver is generally intended to be time limited and granted only for the period of time necessary to achieve compliance.

By requiring the timely reporting of noncompliance with technology policy and standards through the waiver application and the granting of waivers setting the limits and conditions for future compliance, the OCIO is able to oversee and manage agency adherence to state-wide information technology requirements.

POLICY STATEMENTS:

1. Institutions and agencies subject to the State Chief Information Officer (CIO) as designated in [Technology Policy 101 - Technology Policies and Standards](#) are responsible for complying with all published technology policies and standards unless a waiver has been granted by the State Chief Information Officer.
2. The State Chief Information Officer (CIO) is responsible for decisions on all waiver requests associated with the state's Technology Policy and standard.
 - a. The State CIO (or designee) cannot grant a waiver of a statutory or regulatory requirement outside the scope of the office.
 - b. Only the State CIO may grant or deny waiver requests related to services or solutions which have been designated as an enterprise service as outlined in Policy 185 - [Establishing an Enterprise Service](#).
 - c. The State CIO delegates authority for disposition of certain other waiver requests:
 - i. The State Chief Information Security Officer (CISO) is given delegated authority to grant or deny all waivers for security related policies and standards.
 - ii. The Deputy Director, Office of the State Chief Information Officer (OCIO) is given delegated authority to grant or deny all waivers for non-security related policies and standards except for those related to the enterprise service designations.
3. Agencies must request a waiver in advance when they expect to be noncompliant with a state technology policy or standard or immediately upon discovery of noncompliance.
 - a. Waiver requests must be submitted in writing to the State CIO (or designee) using the [OCIO Policy and Waiver mailbox](#).
 - b. Waiver requests must be approved and signed by the agency head (or acting agency head) and the agency CIO (or equivalent if the agency does not have a CIO) prior to submission.
 - c. Waiver requests must contain at least the following information:
 - i. The specific section(s) of the policy and/or standard of which a waiver is requested,
 - ii. A description of the extent of non-compliance with the section(s) identified,
 - iii. An explanation of the technical, business or other factors that prevent compliance,

- iv. A description of all associated risks that could result from noncompliance,
 - v. Mitigations that have been or will be implemented to address the risks of noncompliance,
 - vi. Steps planned to become compliant, and
 - vii. The date by which compliance will be achieved.
4. If additional information is needed, the State CIO (or designee) will request it within 15 days of receipt of the waiver request or as soon as the need for additional information becomes known.
5. The State CIO (or designee) will endeavor to decide waiver requests within 30 days of receipt or within 30 days after receiving all information necessary to evaluate the request.
6. The State CIO (or designee) will communicate decisions on waiver requests formally and in writing. Decisions may be in one of the following ways:
 - a. An approval of the request, in whole or in part, for an unlimited period of time, with or without conditions;
 - b. An approval of the request, in whole or in part, for a specified period of time, with or without conditions; or
 - c. A denial of the request in whole or in part.
7. Following the decision of the state CIO (or designee), the agency must complete all necessary steps and observe all conditions described in the waiver disposition memo.
 - a. The agency will provide progress reports to the State CIO (or appropriate designee) on at least a quarterly basis, or as otherwise required in the waiver disposition memo, about the status of actions undertaken in accordance with the waiver decision until compliance is achieved. Status reports should be sent to the [OCIO Policy and Waiver](#) mailbox.
8. Agencies which are neither in compliance with Information Technology Policy and Standards, nor in receipt of a valid waiver, may be subject to OCIO remedial action, including reporting to the Governor any matters relating to abuses or evasions of OCIO policy as required by RCW 43.105.025.

CONTACT INFORMATION:

Contact the [OCIO Policy & Waiver Mailbox](#) if you have questions about this policy.

SUNSET REVIEW DATE: February 28, 2021

ADOPTION DATE: April 26, 2018

APPROVAL DATE: Targeted Date is June 12, 2018

APPROVING AUTHORITY: Rob St. John, Acting State CIO & Chair of TSB