

## ***Nevada P-16 Advisory Council Subcommittee on Governance Structure***

***May 9, 2012***

### ***Model States Research Notes***

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## **Arizona**

### **Link**

Governance summary page, housed with the Arizona Department of Education (ADE):

<http://www.azed.gov/datagov/>

### **Governance Committee Structure**

- Pursuant to [ARS 15-249](#), ADE “coordinates” with the Data Governance Commission.

### **Governance Committee Members**

- Pursuant to [ARS 15-249.01](#),
  - The chief technology managers, or the managers' designees, of each of the universities under the jurisdiction of the Arizona Board of Regents. (3 members)
  - The chief technology manager, or the manager's designee, of a community college district located in a county with a population of 800,000 persons or more who has expertise in technology and who is appointed by the Governor.
  - The chief technology manager, or the manager's designee, of a community college district located in a county with a population of less than 800,000 persons who has expertise in technology and who is appointed by the governor.
  - The chief executive officer of the Arizona Early Childhood Development and Health Board or the chief executive officer's designee.
  - An officer or employee of a school district located in a county with a population of 800,000 persons or more who has expertise in technology and who is appointed by the Governor.
  - An officer or employee of a school district located in a county with a population of less than 800,000 persons who has expertise in technology and who is appointed by the governor.
  - An officer or employee of a charter school located in a county with a population of 800,000 persons or more who has expertise in technology and who is appointed by the President of the Senate.
  - An officer or employee of a charter school located in a county with a population of less than 800,000 persons who has expertise in technology and who is appointed by the Speaker of the House of Representatives.
  - Two representatives of the business community, one of whom is appointed by the President of the Senate and one of whom is appointed by the speaker of the House of Representatives.
  - The Superintendent of Public Instruction or the Superintendent's designee.

## **Governance Committee Members continued**

- Of the 13 members, seven are appointed by virtue of the position that they hold within Arizona's educational institutions, and the remainder are appointed by the Governor, President of the Senate, and Speaker of the House of Representatives.
- Initial terms are staggered, with subsequent terms being 4 years.

## **Basis of Formation**

- HB 2377 of the 2010 Arizona Legislature created AELAS, now codified as ARS 15-249 and 15-249.01.

## **Apparent Powers, Authorities and Roles**

- The Commission is charged with identifying, examining and evaluating the needs of public institutions who provide instruction to pupils in preschool, kindergarten, grades one through twelve and postsecondary programs in Arizona and shall:
  1. Establish guidelines related to the following:
    - (a) Managed data access.
    - (b) Technology.
    - (c) Privacy and security.
    - (d) Adequacy of training.
    - (e) Adequacy of data model implementation.
    - (f) Prioritization of funding opportunities.
    - (g) Resolution of data conflicts.
  2. Provide recommendations on technology spending.
  3. Provide analyses and recommendations of the following:
    - (a) The control of data confidentiality and data security for stored data and data in transmission.
    - (b) Access privileges and access management.
    - (c) Data audit management, including data quality metrics, sanctions and incentives for data quality improvement.
    - (d) Data standards for stored data and data in transmission, including rules for definition, format, source, provenance, element level and contextual integrity.
    - (e) Documentation standards for data elements and systems components.
    - (f) Data archival and retrieval management systems, including change control and change tracking.
    - (g) Publication of standard and ad hoc reports for state and local level use on student achievement.
    - (h) Publication of implementation timelines and progress.
  4. Submit an annual report on or before December 1 regarding the commission's activities to the governor, the speaker of the house of representatives and the president of the senate. The data governance commission shall provide copies of this report to the secretary of state.

## **Delaware**

### **Link**

Governance summary page, housed with the Delaware Department of Education (DDE):

<http://www.doe.k12.de.us/infosuites/ddoe/p20council/default.shtml>

### **Governance Committee Structure**

- P-20 Council has bylaws which refer to the members being appointed through Executive Order #47. The bylaws are technical in nature. P-20 Council was at some point added to [Title 14, Section 107 of the Delaware Code](#) by the Legislature.
- [House Bill 213](#) of the 2011 Delaware Legislature expanded the P-20 Council and provided:  
“This Act allows the Department of Education to conduct audits and evaluations, including studies for improving instruction and complying with State and federal accountability measures; to collect data to effectuate those activities; and to promulgate regulations to govern the collection and use of educational records, including those in the longitudinal database. The intent of the legislation is to also provide for the ability of other researchers to access the interagency database for approved research studies through defined processes through the oversight of the P-20 Council. This Act also expands the membership of the P-20 Council.”
- P-20 Council co-chaired by the Secretary of Education and the President of the State Board of Education.

### **Governance Committee Members**

- Council members are the presidents (or their designees) of the public institutions of higher education in Delaware, along with the presidents of the institutions of higher education offering degree programs in education (or their designees). Additional members are the Chair of the Delaware Early Care and Education Council, the Chairs of the House and Senate Education Committees, a representative of the Governor's Office, the Chair of the Business Roundtable Education Committee, the Executive Director of the Delaware State Chamber of Commerce, the Secretary of the Department of Labor, the Secretary of the Department of Services for Children, Youth and their Families, the Secretary of the Department of Health and Social Services, the Chief of the Delaware Chief School Officers Association, the President of the Delaware State Education Association, and the President of the Charter School Network, or their designees.

### **Basis of Formation**

- [Title 14, Section 107 of the Delaware Code](#), as amended by [House Bill 213](#) of the 2011 Delaware Legislature. House Bill 213 also amended Title 14 with authorities and roles as outlined next.

### **Apparent Powers, Authorities and Roles**

- [Title 14, Section 121 at paragraph 17](#) vested a new responsibility to the DDE:
  - “(17) Collecting, integrating and reporting longitudinal student and educator data for such purposes as implementing federal- or state-required education performance accountability measures; conducting research and evaluation regarding federal, state and local education and training programs; and conducting audits and ensuring compliance of those programs with applicable federal and state requirements.”.

## Apparent Powers, Authorities and Roles continued

- [Title 14, Section 122 at paragraph 24](#) required DDE to adopt rules and regulations as follows:
  - “(24) Providing for the governance of any longitudinal data system or database, and governing the collection, use, maintenance, disclosure and sharing of educational records and the information contained therein. Rules and regulations promulgated pursuant to this subparagraph shall be developed in consultation and cooperation with the P-20 Council and Interagency Resource Management Committee (IRMC) and with the consent of the State Board of Education and shall comply with state and federal privacy and confidentiality laws, including, without limitation, the Family Educational Rights and Privacy Act, the Protection of Pupil Rights Amendment and the Individuals with Disabilities Education Act each as amended from time to time.”.
- [Title 14, Section 4111 at paragraph \(b\)](#) provides new data requirements with regard to pupil records:
  - “(b) The provisions of subsection (a) notwithstanding, educational institutions and programs operating in this State, including postsecondary institutions and programs regulated by a state agency, shall disclose to the Department such education records, and personally identifiable information contained therein, necessary for the audit or evaluation of State and federal education programs in accordance with the terms and conditions of a written agreement negotiated between the Department and each educational institution or program from which education records are sought. Such agreements shall:
    - (i) state the term of the agreement;
    - (ii) comply with the requirements of the Family Educational Rights and Privacy Act Regulations set forth in 34 CFR Part 99 regarding the Department's use, compilation, maintenance, protection, distribution, re-disclosure and return/destruction of education records obtained hereunder;
    - (iii) specify the data elements to be disclosed by the educational institution or program;
    - (iv) state the purpose for which the information will be used;
    - (v) prohibit any disclosure of education records or personally identifiable information contained therein by an educational institution or program in violation of applicable State or federal privacy laws;
    - (vi) prohibit any modification or amendment except by written agreement duly executed by the parties; and
    - (vi) contain such additional provisions as agreed upon.

All disclosures required by this section shall be for the purpose of ensuring the effectiveness of publicly-funded programs by connecting pre-kindergarten through grade 12 and post-secondary data, and sharing information to improve early childhood and workforce programs as set forth in Delaware's State Fiscal Stabilization Plan and Delaware's Race to the Top Plan, or as otherwise approved by the P-20 Council.”

## Kentucky

### Link

<http://kentuckyp20.ky.gov/>

### Governance Committee Members

Chief executive officer of the KY Dept of Ed, KY Council on Postsecondary Ed, KY Education Professional Standards Board (teacher licensure), and KY Education and Workforce Development Cabinet (chair).

## **Basis of Formation**

- Executive order formalized a P-20 Data Collaborative between:
  - Kentucky Department of Education
  - Kentucky Council on Postsecondary Education
  - Kentucky Education Professional Standards Board
  - Kentucky Education and Workforce Development Cabinet
- Established by MOA, the P-20 Data Collaborative governing board consists of the chief executive officers of the first three, plus, as the chair, the secretary of the KY Education and Workforce Development Cabinet.

## **Powers, Authorities and Roles**

- All decisions are made unanimously by all four members of the governing board.
- Each agency owns its own data and its own infrastructure and is not hindered by the P-20 Data Collaborative in any decisions regarding its own use of its own data.
- The P-20 Data Collaborative system receives data pushed from the agencies at set intervals.
- The P-20 Data Collaborative system is platform independent.
- The four member agencies have been collaborating to leverage their own agencies' resources toward fiscal sustainability of the P-20 Data Collaborative since it was originally built using a \$2.9M IES SLDS grant.

## **Minnesota**

### **Link**

Governance summary page, housed with the Minnesota Office of Higher Education – this page contains:

- Statewide Longitudinal Education Data System Charter
- Data Sharing Agreement between Office of Higher Education and the Minnesota Dept. of Education
- Data Sharing Agreement between Office of Higher Education and the higher education institutions
- Minnesota SLEDs Background Summary

[http://www.ohe.state.mn.us/mPg.cfm?pageID=1935&1534-D83A\\_1933715A](http://www.ohe.state.mn.us/mPg.cfm?pageID=1935&1534-D83A_1933715A)

### **Governance Committee Structure**

- SLEDs Governance Committee is advisory to MN P-20 Education Partnership.
- SLEDs Governance Committee governs cooperative work by the MN Dept. of Ed and MN Office of Higher Ed. These two departments are jointly responsible to develop and maintain the SLDS.
- SLEDs Governance Committee has two subcommittees:
  - Research Committee
  - Data Advisory Committee

### **Governance Committee Members**

- Decision maker from: MDE, OHE, Dept. of Employment and Economic Development, MN Association of School Administrators, MN School Boards Association, MN Association of Elementary School Principals, MN Association of Secondary School Principals, Education Minnesota, University of MN, MN State Colleges and Universities, MN Private College Council, MN Career College Association, and the business community. Two at large may be appointed.
- MN P-20 Education Partnership appoints members to the Governance Committee.
- Governance Committee appoints members to each of its subcommittees.

## **Basis of Formation**

- In response to statute, the MN P-20 Education Partnership amended its bylaws to state that it would establish a governance committee to oversee development of a Longitudinal Data System. The development itself is to be accomplished jointly by the MN Dept of Ed and MN Office of Higher Ed. P-20 then established the LDS Governance Committee by resolution.
- A charter developed by the MN P-20 Education Partnership defines the governance committee. A separate charter, also developed by the P-20, defines each of the two subcommittees.
- Data Sharing Agreements and MOU's define the relationships of entities to the MN P-20, to the governance committee/subcommittees, and among one another.

## **Apparent Powers, Authorities and Roles**

- P-20 defines what the data will be used for and what questions the data should answer.
- Governance Committee defines what will be measured in order to meet the purposes agreed upon by the P-20.
- Subcommittees do the assignment/report-back functions that result in the needed pieces being made available to the two agencies that are co-developing the SLDS.

## **Utah**

### **Governance Committee Structure**

Utah Data Alliance Stakeholders:

- Utah State Office of Education (USOE) - pre-kindergarten and K-12,
- Utah System of Higher Education (USHE) - higher education enrollments
- Utah College of Applied Technology (UCAT) - Postsecondary
- Utah Department of Workforce Services (DWS) - employment/unemployment,
- Utah Education Network (UEN) - custodian of the data
- Utah Education Policy Center (UEPC) - University of Utah College of Education, the primary independent data analysis and research entity
- The Utah Education Policy Center (UEPC) will have the roles of overall data governance and research coordination.

## **Basis of Formation**

- June 2010 Utah State Office of Education was awarded American Recovery and Reinvestment Act (ARRA) grant by US Department of Education to construct a statewide longitudinal data system (SLDS) to make individual student data, from early childhood into the workforce, available for research, analysis, and data driven decision making <http://nces.ed.gov/programs/slds/pdf/utahabstract2009ARRA.pdf>

## **Duties of Data Governance Group**

- Aligning Guidelines, Requirements, Controls
- Resolving Issues
- Establishing Decision Rights
- Specifying Data Quality Results
- Establishing Accountability
- Building Governance into Technology
- Performing Stewardship
- Providing Stakeholder Care
- Managing Change
- Communications and Program Reporting
- Defining Data

## **Washington**

### **Link:**

<http://www.k12.wa.us/K12DataGovernance/default.aspx>

Washington provides a great deal of information detailing the planning, formation and implementation of their Data Governance and Management.

### **Governance Committee Structure**

<http://www.k12.wa.us/K12DataGovernance/Members.aspx>

- The K-12 Data Governance group includes representatives of Office of Superintendent of Public Instruction, the Education Research and Data Center, the Legislative Evaluation and Accountability Program Committee, the Professional Educator Standards Board, the State Board of Education, and school district staff, including Information Technology staff. In addition, the group includes representatives of organizations that use K-12 data.
- There are currently about 20 people in this group, but it appears only about half are in attendance either in person or over the phone at each meeting. The membership looks like it has changed over time based on need or ability to participate. Participating groups report out and other stakeholders provide input and recommendations. They are finding a big value in hearing what others are doing, but need to make sure that they are also communicating with the folks who are not at the table. They have many school districts in the state of Washington, but only a few seem to be directly represented at the stakeholder level. They developed a Data Governance System implementation manual over several years.
- <http://www.k12.wa.us/K12DataGovernance/pubdocs/DataGovernanceManual.pdf>

### **Basis of Formation**

<http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bills/Session%20Law%202009/2261-S.SL.pdf>

- ESHB 2261 2009 established a vision for a comprehensive K-12 education data improvement system that will include financial, student, and educator data. Section 202 of ESHB 2261 describes the expectations for the data improvement system. Section 203 describes the duties of the Data Governance work group.
- Data Governance and K-12 Financial Data is one of the 4 working groups created to develop and implement the details of the bill.

**Duties of Data Governance Data Group:**

The K-12 Data Governance group will be established within the Office of Superintendent of Public Instruction and their purpose will be to assist in the design and implementation of a data improvement system for financial, student, and educator data. They must:

- Identify critical research and policy questions.
- Identify reports and other information that should be made available on the internet.
- Create a comprehensive needs requirement document.
- Conduct a gap analysis.
- Focus on the financial and cost data that is necessary to support the new K-12 financial models and funding formulas.
- Define the operating rules and governance structure for K-12 data collections.

Legislative funding will establish which data subset is required. As part of the bill, the State Board of Education must work with the Education Data Center in the Office of Financial Management to determine the feasibility of using the prototypical school funding allocation model as a tool for both allocating money and reporting expenditures. OSPI is to submit reports to the Legislature by November 15, 2009, and September 1, 2010.