

***Nevada P-16 Advisory Council Subcommittee on Governance Structure***  
***May 9, 2012***  
***Nevada SLDS Governance Options***

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**Responsible agency options:**

- No agency specifically responsible, just the P-20 or other committee directing member agencies – did not find a successful example.
- Create a new agency – did not find a successful example.
- Designate one agency responsible to develop and maintain the SLDS – did not find a successful example of this, either, although several state departments of ed have good K-12 systems (some call them P-20 but they are not).
- Designate two agencies to co-develop and co-maintain the SLDS – successful in MN.
- Designate multiple agencies to co-develop and co-maintain the SLDS – successful in KY.

**Governance options:**

- If two agencies co-develop: multi-tiered governance with broad stakeholder representation appears successful in MN.
- If multiple agencies co-develop: governance by a very small board comprised of those agency heads appears successful in KY.

**Options for Basis of Formation:**

- Statute seems to have less import than Executive Order.
- Further definition (beyond statute/executive order) appears to also be necessary. Options:
  - Charters and/or bylaws can define roles and powers of governance committee and any subcommittees
  - Memoranda of Agreement / Memoranda of Understanding can define relationships between:
    - Participating agencies and the developing agencies
    - Participating agencies and the P-20 Council and/or SLDS governance committee
    - Participating agencies with one another
  - Data Sharing Agreements can define details such as
    - Platform independence or designation
    - Intervals at which data may / must be pushed to the data warehouse
    - Relevant federal and state statute that will be adhered to, e.g., FERPA

### **Statutory Implications:**

Either by executive order or in statute, it appears necessary to vest clear authority (often through the P-20 Council) in the SLDS governance committee to require and set deadlines for development of MOU, MOA, and/or specific and functional data sharing agreements among its member entities. In order for any agency, group or organization to have a voice on the SLDS governance committee, that entity should be formally expected in some way to share its own data/information in accordance with necessary deadlines and protocols. Any entity that opts not to functionally share its own data (or is technologically unable to at a given time), loses its seat on the governance committee and can gain a voice only indirectly by appealing to the P-20 Council that gives direction to the SLDS governance committee. In other words, broader stakeholder representation ideally resides not in seats on the SLDS governance committee, but rather with the P-20 Council that gives direction to the SLDS governance committee.

### **Possibilities within Nevada's existing agency structure and stakeholder makeup:**

#### **Nevada Responsible Agency**

NSHE and NDE co-develop would be analogous to MN. A three-agency co-development group would likely be NSHE, NDE and DETR. Nevada does not have four or more separate agencies analogous to the multi-agency situation in KY, but we do have other agencies and entities here that could potentially contribute to the SLDS. Examples include Health and Human Services (early childhood advisory council) and the Department Juvenile Justice.

Deciding which agencies are co-responsible to develop, house, continually improve and maintain the SLDS should probably depend on which agencies can best leverage resources with one another to keep the project cost-feasible.

#### **Governance Options**

1. The Nevada P-20 Council could continue to function as the part of the governance structure that provides broad stakeholder representation. The P-20 Council is also the policy level tier to which stakeholders and the public would appeal in order to have a voice in the mission, purposes and desired deliverables of the SLDS.

Roles:

- Establish, monitor progress toward, and adjust (as needed) the mission, purposes, questions to be answered by and other desired deliverables of the SLDS.
- Evaluate resource needs and engage in collaborative resource development toward long-term viability of the SLDS.

2. SLDS governance committee could be required by statute and/or executive order, with the P-20 Council responsible to develop the charter and appoint members. Membership on the SLDS governance committee would consist of the key decision maker for each agency/organization/group that would contribute data into the SLDS. Examples: NDE, NSHE, DETR, HHS, DJJ, and possibly other organizations such as Nevada PEP.

Roles:

- Leverage information, resources, and data to plan accomplishment of the purposes and deliverables of the SLDS.
- Compile accounting of in-kind and financial resources appropriated by each member entity toward accomplishment of the mission of the SLDS.

3. SLDS governance subcommittee(s) could also be chartered by the P-20 Council, with members appointed by the SLDS governance committee. Members of working subcommittees would likely be IT personnel within the member agencies. Role:

- Collaborate to produce deliverables of the SLDS.

### **Options for Basis of Formation**

In order to be able to include entities in the SLDS that are not subject to executive order, permissive statutory language may be necessary that would allow entities to opt in and make themselves subject to the P-16 executive order regarding a Nevada SLDS and any future amendments. Executive order does seem to be of highest import in states that are making good SLDS progress, with further clarification and detail in MOU, MOA, charters, bylaws, and/or data sharing agreements.

### **Statutory Implications**

Statute could require the P-20 Council to establish a SLDS Governance Partnership or other governance committee. Permissive statutory language may allow the SLDS governance system the flexibility to welcome data-rich entities that are not subject to executive order.