

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

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The Subcommittee on Governance Structure met on May 9, 2012. The Subcommittee identified stakeholders who should be considered as development of the state longitudinal data system (SLDS) moves forward, and is providing a recommendation as to how Nevada's SLDS governance should be structured.

The following stakeholders were identified as being key contributors, users or consumers of data and should be considered as being either included in a governance structure or having an interest or voice in the process.

<b>SLDS STAKEHOLDERS</b>	
<b>Contributors of data</b>	<b>Users or consumers of data</b>
<b>Phase 1 – initial contributors:</b> <ul style="list-style-type: none"><li>▪ Nevada Department of Education (NDE)</li><li>▪ Nevada System of Higher Education (NSHE)</li><li>▪ Department of Employment, Training &amp; Rehabilitation (DETR)</li><li>▪ School districts</li><li>▪ Charter school district</li></ul>	<ul style="list-style-type: none"><li>▪ Parents</li><li>▪ Teachers</li><li>▪ School administrators</li><li>▪ School boards</li><li>▪ Business leaders</li><li>▪ Economic development agencies/groups</li><li>▪ Governor</li><li>▪ Legislators</li><li>▪ State government policy makers</li><li>▪ Local government policy makers</li><li>▪ Research entities</li></ul>
<b>Phase 2 – second stage contributors:</b> <ul style="list-style-type: none"><li>▪ Preschool providers</li><li>▪ Department of Health &amp; Human Services</li></ul>	
<b>Phase 3 – full implementation contributors:</b> <ul style="list-style-type: none"><li>▪ Juvenile justice system</li><li>▪ Department of Corrections</li><li>▪ Private schools</li><li>▪ Postsecondary schools</li><li>▪ Home schooled-children</li></ul>	

## **Recommendations**

The Subcommittee recommends that Nevada develop a federated system for its SLDS. The hub of the system would be housed in the Nevada Department of Education, with contributing agencies responsible for the ownership of their data and integration of that data into the hub.

The governance structure for the federated SLDS would be headed by the P-16 Advisory Council, which should be revised to become a P-20 Council and encompass more of the key stakeholders as Council members. Also, the Directors of the state agencies who are key contributors of the system should be added as ex-officio members.

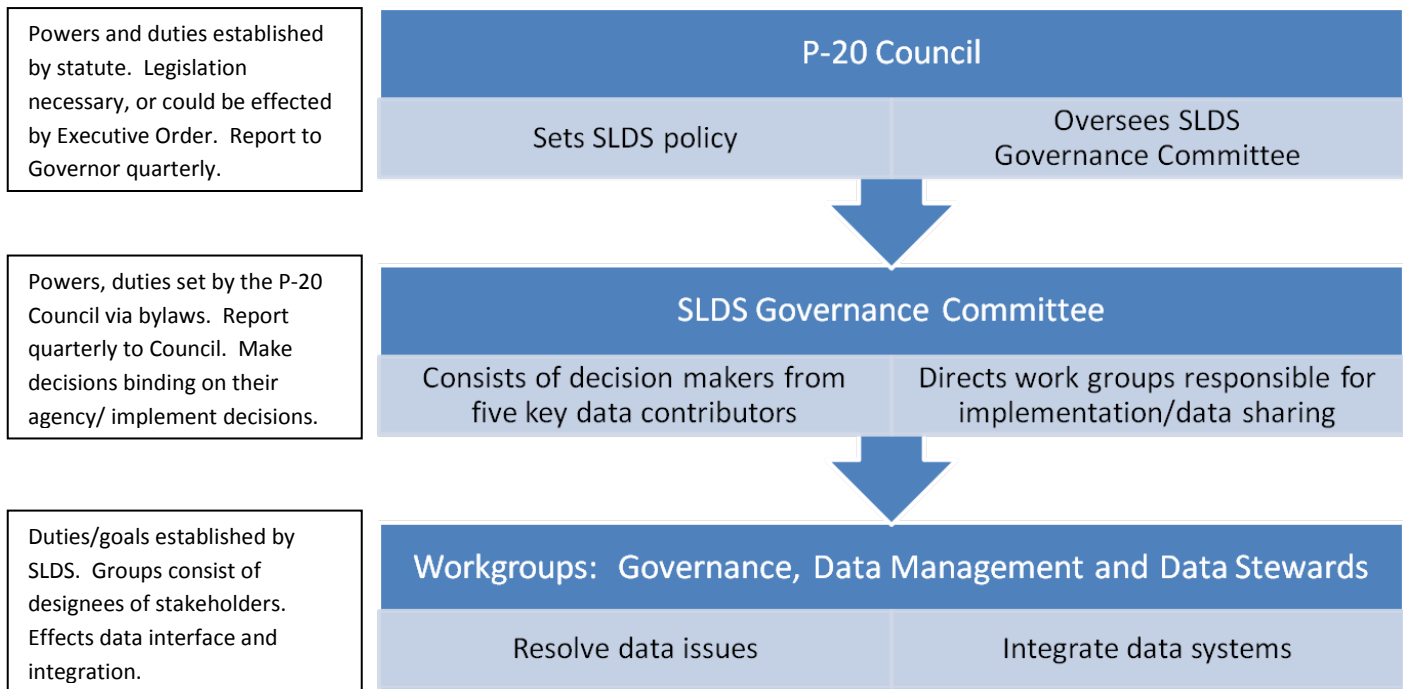
Nevada Revised Statutes Chapter 400, which establishes the P-16 Advisory Council, should be revised to reflect such changes as well as to add in specific statutory language directing the newly revamped P-20 Council to oversee the development of the SLDS and make the policy decisions necessary to set goals, bring together stakeholders, resolve data issues, provide necessary data security, create subcommittees to accomplish the goals, etc. The P-20 Council should report directly to the Governor on a quarterly basis regarding SLDS development. (The full text of NRS Chapter 400 is found in Attachment A. Examples of statutory language regarding new powers and duties of a P-20 Council as well as other sample state law provisions from Arizona, Minnesota and Washington are in Attachment B.)

Under the proposed structure the P-20 Council would provide oversight to the SLDS Governance Committee, a much smaller group consisting of five key members with decision making authority who should meet regularly and more frequently than the Council. These five members would be representatives of the five Phase 1 Initial Contributors:

1. NDE;
2. NSHE;
3. DETR;
4. School districts; and
5. Charter school districts.

The P-20 Council would issue a directing document, such as bylaws, which sets forth the goals, deliverables, SLDS working groups, etc. At this level the contributing agencies would enter into memorandums of understanding or agreement which are specific to the data and systems they are sharing. There should be reporting requirements from the SLDS Governance Committee to the P-20 Council, e.g. the SLDS Governance Committee reports to and gets direction from the P-20 Council at the Council's quarterly meetings.

The envisioned structure is represented in the chart below.



The Subcommittee believes the governance structure must include upward reporting requirements both to ensure accountability and to measure progress.

The Subcommittee believes that each stakeholder should see intrinsic value in the collection and reporting of this data, as collaboration is the key to the development of a successful P-20 SLDS. Council members should keep this in mind as they move forward in establishing a governance structure and setting forth data standards and other technical aspects of the system.

## **Attachment A**

### **NRS CHAPTER 400: P-16 ADVISORY COUNCIL**

[NRS 400.010](#) Definitions.

[NRS 400.015](#) "Council" defined.

[NRS 400.020](#) "System" defined.

[NRS 400.025](#) Legislative declaration.

[NRS 400.030](#) Creation; membership; terms; vacancies.

[NRS 400.035](#) Meetings; compensation of members; administrative support and other assistance.

[NRS 400.040](#) Powers and duties.

[NRS 400.045](#) Annual report.

**NRS 400.010 Definitions.** As used in this chapter, unless the context otherwise requires, the words and terms defined in [NRS 400.015](#) and [400.020](#) have the meanings ascribed to them in those sections.

**NRS 400.015 "Council" defined.** "Council" means the P-16 Advisory Council created by [NRS 400.030](#).

**NRS 400.020 "System" defined.** "System" means the Nevada System of Higher Education.

**NRS 400.025 Legislative declaration.** The Legislature hereby finds and declares that:

1. The Board of Regents of the University of Nevada was created by the Nevada Constitution and empowered to control and manage the affairs of the Nevada System of Higher Education.
2. Matters relating to education are vitally important to the future of the State of Nevada, its economy and the general welfare of its residents. In light of the growing enrollments in Nevada's system of public elementary and secondary education and Nevada's system of public higher education, it is important that the Nevada Legislature, the Board of Regents, the State Board and the Executive Branch of the State Government work together as partners in developing a needed public agenda to advance education in this State.
3. The development of an agenda to advance education should be carried out with a view toward seeking input from all parties who have a stake in the advancement of education in this State.
4. Coordination between elementary, secondary and higher education must be strengthened to ensure that pupils in the 12th grade are prepared adequately to make the transition from secondary education to higher education or to careers. To this end, a body should be established to coordinate education from the level of preschool through the completion of a bachelor's degree, to be known as the P-16 Advisory Council.

**NRS 400.030 Creation; membership; terms; vacancies.**

1. The P-16 Advisory Council, consisting of 11 voting members, is hereby created to assist in the coordination between elementary, secondary and higher education in this State. The Chancellor of the System and the Superintendent of Public Instruction serve as ex officio nonvoting members of the Council.
2. The Governor shall appoint five members to the Council as follows:
  - (a) One representative of higher education in this State.
  - (b) One representative of elementary and secondary education in this State.

- (c) One representative of private business in this State.
  - (d) One member who is a parent of a pupil enrolled in a public school in this State or of a student enrolled in the System. The parent must not be employed by the board of trustees of a school district, the governing body of a charter school or the System.
  - (e) One person who meets the qualifications of paragraph (a), (b) or (c).
3. The Majority Leader of the Senate and the Speaker of the Assembly shall each appoint two members to the Council as follows:
- (a) One member of the House of the Legislature that he or she represents.
  - (b) One person who meets the qualifications of paragraph (a), (b) or (c) of subsection 2.
4. The Minority Leader of the Senate and the Minority Leader of the Assembly shall each appoint one member to the Council who is a member of the general public.
5. The members of the Council shall elect a Chair and a Vice Chair from among the members of the Council. After the initial term, the Chair and Vice Chair serve in the office for a term of 2 years beginning July 1 of each odd-numbered year. If a vacancy occurs in the office of Chair or Vice Chair, the members of the Council shall elect a member to fill the vacancy to serve for the remainder of the unexpired term of that office.
6. After the initial terms, each member of the Council serves a term of 3 years commencing on July 1 of the year of appointment. Such members may be reappointed for one additional term. A vacancy on the Council must be filled for the remainder of the unexpired term in the same manner as the original appointment. Each member of the Council continues in office until his or her successor is appointed.
7. Any member who is absent from two consecutive meetings of the Council without permission of the Chair:
- (a) Forfeits his or her office; and
  - (b) Must be replaced as provided in subsection 6 for the filling of a vacancy before the end of a term.

**NRS 400.035 Meetings; compensation of members; administrative support and other assistance.**

1. The Council shall meet at least once each calendar quarter and as frequently as necessary to afford the general public, representatives of governmental agencies and representatives of organizations an opportunity to present information and recommendations relating to the coordination between elementary, secondary and postsecondary education, including, without limitation, the Nevada Youth Legislature created by [NRS 385.515](#) and the Advisory Council on Parental Involvement and Family Engagement established by [NRS 385.610](#).
2. The Council shall comply with the provisions of [chapter 241](#) of NRS.
3. For each day or portion of a day during which the members of the Council attend a meeting of the Council or are otherwise engaged in the business of the Council:
- (a) The members who are Legislators are entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session plus the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to [NRS 218A.655](#), payable from the Legislative Fund.
  - (b) The members who are appointed by the Majority Leader of the Senate, the Speaker of the Assembly, the Minority Leader of the Senate and the Minority Leader of the Assembly who are not Legislators are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally, payable from the Legislative Fund.
  - (c) The members who are appointed by the Governor are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally, payable as other claims against the State are paid.
4. The Office of the Governor shall provide:
- (a) Administrative support;

- (b) Equipment; and
  - (c) Office space, as is necessary for the Council to carry out its duties.
5. The Board of Regents of the University of Nevada and the Department shall provide technical assistance to the Council upon the request of the Chair.

**NRS 400.040 Powers and duties.**

1. The Council shall address:

- (a) Methods to increase the number of students who enroll in programs at the System to become teachers, including, without limitation, financial aid programs for students enrolled in those programs.
- (b) Methods to ensure the successful transition of pupils from:
  - (1) Elementary school to middle school;
  - (2) Middle school to high school; and
  - (3) High school to postsecondary education, including, without limitation, methods to increase parental involvement.
- (c) Methods to ensure that the data information system for the pupils enrolled in the public schools is linked, to the extent feasible, with the data information system for the students enrolled in the System.
- (d) Methods to ensure that the course work, standards and assessments required of pupils in secondary schools is aligned with the workload expected of students at the postsecondary level.
- (e) Methods to ensure collaboration among the business community, members of the academic community and political leaders to set forth a process for developing strategies for the growth and diversification of the economy of this State.
- (f) Policies relating to workforce development, employment needs of private employers and workforce shortages in occupations critical to the education, health and safety of the residents of this State.
- (g) Other matters within the scope of the Council as determined necessary or appropriate by the Council.

2. The Council may:

- (a) Establish committees to assist the Council in carrying out its duties.
- (b) Apply for any available grants and may accept any gifts, grants and donations from any source to assist the Council in carrying out its duties.

**NRS 400.045 Annual report.** On or before June 30 of each year, the Council shall submit a written report of its activities and any recommendations to the:

- 1. Board of Regents of the University of Nevada;
- 2. State Board;
- 3. Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature;
- 4. Legislative Committee on Education; and
- 5. Governor.

## **Attachment B**

### **Arizona Law**

#### [Arizona Revised Statutes 15-249:](#)

B. The education learning and accountability system shall:

1. Maintain longitudinal, student level data, including student demographic, grade level, assessment, teacher assignment and other data required to meet state and federal reporting requirements.
2. Incorporate the student accountability information system prescribed in chapter 9, article 8 of this title.
3. Be accessible through commonly used internet web browsers to carry out the data collection, compilation and reporting duties prescribed in this title.

#### [Arizona Revised Statutes 15-249.01:](#)

C. The commission shall identify, examine and evaluate 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.

## **Minnesota Law**

In the 2008 Minnesota legislative session lawmakers passed statutory language allowing the Minnesota Department of Education and the Minnesota Office of Higher Education to share data elements each currently collects for purposes of conducting research to answer questions identified in the vision for the Statewide Longitudinal Education Data System.

Chapter 298: Sec.2. *M.S.* 2006, section 13.32 Subd.11. was amended to provide for:

“Data Sharing; improving instruction. The following educational data may be shared between the Department of Education and the Minnesota Office of Higher Education as authorized by the Code of Federal Regulations, title 34, section 99.31 (a)(6), to analyze instruction in school districts for purposes of improvement:

- (1) attendance data, including name of school or institution, school district, year or term of attendance, and term type;
- (2) student demographic and enrollment data;
- (3) academic performance and testing data; and
- (4) special academic services received by a student.

Any analysis of or report on the data must contain only summary data.”

## **Minnesota P-20 Charter**

The duties of the SLEDs Governance Committee members shall include:

1. Evaluate and consider SLEDs research and evaluation topics at the request of the Minnesota P-20 Education Partnership or other groups that will inform data driven decisions and educational policy formation.
2. Approve requests for additional data elements to be added to SLEDs for research purposes.
3. Sign off on data security protocols and data transfer procedures.
4. Appoint members to the Research Committee and Data Advisory Committee of the SLEDs Governance Committee.
5. Requests for accessing data for research purposes shall be directed to the SLEDs Governance Committee.
6. Ensure access to public data in accordance with state and federal privacy laws.

## **Washington Law**

[Revised Code of Washington 43.41.400](#)

### **Education data center.**

(1) An education data center shall be established in the office of financial management. The education data center shall jointly, with the legislative evaluation and accountability program committee, conduct collaborative analyses of early learning, K-12, and higher education programs and education issues across the P-20 system, which includes the department of early learning, the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the workforce training and education coordinating board, the higher education coordinating board, public and private nonprofit four-year institutions of higher education, and the employment security department. The education data center shall conduct collaborative analyses under this section with the legislative evaluation and accountability program committee and provide data electronically to the legislative evaluation and accountability program committee, to the extent permitted by state and federal confidentiality requirements. The education data center shall be considered an authorized representative of the state educational agencies in this section under applicable federal and state statutes for purposes of accessing and compiling student record data for research purposes.

(2) The education data center shall:

- (a) In consultation with the legislative evaluation and accountability program committee and the agencies and organizations participating in the education data center, identify the critical research and policy questions that are intended to be addressed by the education data center and the data needed to address the questions;
- (b) Coordinate with other state education agencies to compile and analyze education data, including data on student demographics that is disaggregated by distinct ethnic categories within racial subgroups, and complete P-20 research projects;
- (c) Collaborate with the legislative evaluation and accountability program committee and the education and fiscal committees of the legislature in identifying the data to be compiled and analyzed to ensure that legislative interests are served;
- (d) Annually provide to the K-12 data governance group a list of data elements and data quality improvements that are necessary to answer the research and policy questions identified by the education data center and have been identified by the legislative committees in (c) of this subsection. Within three months of receiving the list, the K-12 data

governance group shall develop and transmit to the education data center a feasibility analysis of obtaining or improving the data, including the steps required, estimated time frame, and the financial and other resources that would be required. Based on the analysis, the education data center shall submit, if necessary, a recommendation to the legislature regarding any statutory changes or resources that would be needed to collect or improve the data;

(e) Monitor and evaluate the education data collection systems of the organizations and agencies represented in the education data center ensuring that data systems are flexible, able to adapt to evolving needs for information, and to the extent feasible and necessary, include data that are needed to conduct the analyses and provide answers to the research and policy questions identified in (a) of this subsection;

(f) Track enrollment and outcomes through the public centralized higher education enrollment system;

(g) Assist other state educational agencies' collaborative efforts to develop a long-range enrollment plan for higher education including estimates to meet demographic and workforce needs;

(h) Provide research that focuses on student transitions within and among the early learning, K-12, and higher education sectors in the P-20 system; and

(i) Make recommendations to the legislature as necessary to help ensure the goals and objectives of this section and RCW [28A.655.210](#) and [28A.300.507](#) are met.

(3) The department of early learning, superintendent of public instruction, professional educator standards board, state board of education, state board for community and technical colleges, workforce training and education coordinating board, higher education coordinating board, public four-year institutions of higher education, and employment security department shall work with the education data center to develop data-sharing and research agreements, consistent with applicable security and confidentiality requirements, to facilitate the work of the center. Private, nonprofit institutions of higher education that provide programs of education beyond the high school level leading at least to the baccalaureate degree and are accredited by the Northwest association of schools and colleges or their peer accreditation bodies may also develop data-sharing and research agreements with the education data center, consistent with applicable security and confidentiality requirements. The education data center shall make data from collaborative analyses available to the education agencies and institutions that contribute data to the education data center to the extent allowed by federal and state security and confidentiality requirements applicable to the data of each contributing agency or institution.

## **Washington Governance Committee and Subcommittees**

### ERDC Guidance Committee provides an opportunity for agencies to coordinate

ERDC needs a group dedicated to ensuring that the agencies involved in the data warehouse are doing what is necessary to fulfill the P-20/ Workforce research agenda. This includes approving the critical questions, ensuring their agency is collecting and storing the necessary data, making recommendations to the legislature, and committing staff to the work. The information necessary to finalize these decisions would come from the subcommittees listed below. This committee would have agency heads or deputies, those in a position to make decisions on behalf of the agency they represent.

### Three committees provide recommendations to the Guidance Committee

**Research and Reporting Coordination Committee.** Members are staff who interact with agency decision-makers, stakeholders and research questions. They would make recommendations as to the list of critical questions and coordinate with the other committees to make sure the data needed to answer the questions were available. The people on this committee would also be the policy matter experts that would be commenting on data requests coming into the ERDC. This committee would continue the work of the Data Sharing Policy Committee and update policies and procedures created around data sharing. The majority of the work will be providing advice to data requestors.

**Data Stewards Committee.** Members are directly familiar with the data variables from their agency used in research. The data experts from the agencies would meet to ensure consistent data definitions and make recommendations regarding who should collect data needed for new questions. This committee would need to create policies and procedures related to data stewardship in a P-20 system.

**Data Custodians Committee.** Members are responsible for the technical delivery of data to and from the warehouse. The technical experts from the agencies would coordinate on how the data is exchanged between their agency and the data warehouse and how the data is stored. This committee would need to create policies and procedures related to individual agency's data systems and how they interact with a P-20 system.

None of these committees can operate in isolation. For example, new questions will likely require new data elements that will need to be collected by an agency. The chairs of the committees will need to meet in order to coordinate their work and recommendations to the Guidance Committee.