



NATIONAL CONFERENCE *of* STATE LEGISLATURES

The Forum for America's Ideas

Curtis Bramble
Senate President Pro Tempore
Utah
President, NCSL

To: Wisconsin 2016 Legislative Council Study Committee on
School Data

Karl Aro
Director of Administration
Department of Legislative Services
Maryland
Staff Chair, NCSL

From: Sunny Deye, NCSL

Date: July 25, 2016

William T. Pound
Executive Director

Subject: Examples of "student data inventories" published and
made publicly available in other states

Thank you for the opportunity to speak about state legislative action on student data privacy with the Wisconsin 2016 Legislative Council Study Committee on School Data earlier this month.

The following information is provided in response to the Committee's request for further information:

1. Examples of the publicly-available "Data Inventories" required by legislation passed in other states
2. Information about how the availability of the "Data Inventories" was made known to the citizens in those states.

Please find below a list of states that passed legislation requiring "Data Inventories," with links to each state's legislation, online "Data Inventories," where available, and public notice, where available:

2014:

Colorado HB 1294: One of the first and most comprehensive data governance laws, this law required both a public data inventory and corresponding definitions of key terms.

- CDE maintains on its website an inventory of all data it collects from districts and the reasons for the collections. You can find that list here:
<http://www.cde.state.co.us/cdereval/dataprivacyandsecurity>
- CDE has created and gathered the following resources to help parents understand what data is collected about students and how that data is used:
<http://www.cde.state.co.us/dataprivacyandsecurity/parentinfo>

Idaho SB 1372: Another early and comprehensive data governance law, this law articulates the value of education data and requires an annual education data inventory.

Denver
7700 East First Place
Denver, Colorado 80230-7143
Phone 303.364.7700 Fax 303.364.7800

Washington
444 North Capitol Street, N.W. Suite 515
Washington, D.C. 20001
Phone 202.624.5400 Fax 202.737.1069

Website www.ncsl.org
Email info@ncsl.org

DATE

p. 2

- The Idaho Data Management Council is a council established to make recommendation on the oversight and development of Idaho's Statewide Longitudinal Data System (SLDS) and oversees the creation, maintenance and usage of said system:
https://boardofed.idaho.gov/research_stats/data_management_council.asp
- Policies and procedures for the Idaho Data Management Council were approved September 3, 2015, and require that the Council maintain a dictionary of student data fields collected for inclusion within the SLDS available to the public via the Board of Education website and reviewed annually. The Data Dictionary does not appear to be available as of July 25, 2016.
- The Council's meeting minutes from their last meeting, April 29, 2016, indicate that they are working on public outreach including branding and communication services for the SLDS. At that meeting, the Council considered the State of North Dakota's SLDS website:
<https://slds.ndcloud.gov/SitePages/Default.aspx>
- The Idaho State Board of Education website features a Model Student Data Security Policy. This model policy is required by the Idaho Data Accountability Act. Each school district and public charter school is required to adopt, implement and electronically post this policy. It is intended to provide guidance regarding the collection, access, security and use of education data to protect student privacy.

Missouri HB 1490: The state education agency is tasked with producing a public inventory of collected data elements and proposed data elements.

- The Missouri State Board of Education Data Access, Sharing, and Privacy webpage includes a List of Data Elements, including which data are collected, which law requires the data, and definitions.

New York AB 8556/SB 6356: New York's 2014 budget included requirements for a data inventory along with a parent bill of rights and procedures for handling parent complaints.

- NYSED's Data Collection section is about data collected from all entities who are required to report to the New York State Education Department. NYSED provides information, forms, instructions and other resources to schools and districts and other agencies who provide educational services in New York State, in order to assist them in gathering and reporting the data for programs they provide. These data are then collected by the NYS Education Department.
- Each educational agency in the State of New York must develop a Parents' Bill of Rights for Data Privacy and Security (Parents' Bill of Rights):
<http://www.p12.nysed.gov/docs/parents-bill-of-rights.pdf>

North Carolina SB 815: This law charged the state board with creating a public data inventory and corresponding data dictionary for all state and federal data mandates and data elements that are proposed for collection.

DATE

p. 3

- The Data Management Group (DMG) is the official data management oversight body of the North Carolina Department of Public Instruction (NCDPI). The DMG is charged with the responsibility and authority to set policy and resolve issues concerning agency data collection, management and use. The purpose of the DMG is to enable the NCDPI to meet the responsibility of providing accurate and timely data to key stakeholders:
<http://www.dpi.state.nc.us/data/management/>
- NCSL was unable to find an online link to North Carolina's public data inventory.

Tennessee HB 1549: The Data Accessibility and Transparency Act requires the state department of education to "create, publish, and make publicly available a data inventory and dictionary or index of data elements with definitions of individual student data fields currently in the student data system along with the purpose or reason for inclusion in the data system."

- The Tennessee Department of Education Student Data Inventory is available here:
https://www.tn.gov/assets/entities/education/attachments/data_Student_Data_Inventory_November_2014.pdf

West Virginia HB 4316: This law describes separate state, district and school responsibilities in creating and maintaining a student data inventory with definitions.

- West Virginia Department of Education webpage [Student Data Collected by WVDE](#)
- West Virginia Department of Education webpage [Resources for Families](#)

2015:

Georgia SB 89 requires the state department of education to create, publish, and make publicly available a data inventory and dictionary of data elements in the state data system.

- Georgia Department of Education Data Collection Overview:
<https://www.gadoe.org/Technology-Services/Data-Collections/Pages/Data-Collection-Overview.aspx>
- Georgia Department of Education Model Policies Created for Local Education Agencies:
 - [Parent Annual Notification Policy](#)
 - [Parent Annual Notification](#)
 - [Parent/ Eligible Student Complaint Policy](#)
 - [Parent/ Eligible Student Complaint Form](#)

Nevada AB 221: Requires the state and districts to create public data inventories and to report on changes to data collection or management.

DATE

p. 4

- The Nevada Department of Education (NDE) maintains a webpage, Student Data Privacy, which includes the following links:
 - Data Dictionary- This data dictionary lists all data elements collected by NDE. The dictionary does NOT contain the actual data itself. The NDE collects this information because State and Federal laws direct us to do so.
 - Information Security and Privacy Policy- This policy, approved by the State Board of Education on January 29, 2015, covers the following topics: staff training on data use, security breaches, personally identifiable student data, and requirements for data sharing agreements.
 - State-Level Student Data Collection and Protection-This two-page fact sheet covers the following topics: what student information is collected by NDE, how student information is used, where the information is stored, how the information is safeguarded, who has access to student data, when data is archived/deleted, and student privacy safeguards.

2016:

Arizona HB 2088: As part of a larger law prohibiting student-level non-test data from being included in the student longitudinal data system unless approved in a public meeting, this new law requires the state to list on its website all non-test data that are collected.

- The Arizona Department of Education lists data sources that provide “the information decision makers need in order to create a safe and positive learning environment” here: <http://www.azed.gov/prevention-programs/resources/data/>

New Hampshire HB 301: Establishes a committee to study the state's student longitudinal data system and any other database that contains student-level data and requires that committee to assemble a dictionary of data elements collected.

- The New Hampshire Department of Education has a list of data elements that the Department collects for publicly funded students in New Hampshire: Data Element Summary

Other state examples:

- The Arkansas Department of Education recently published a press release about its new webpage on data privacy.