

Cradle-to-Career Data Insights

SECTION. 1

Chapter 8.5 (commencing with Section 10850) of Part 7 of Title 1 is added to the Education Code to read:

Chapter 8.5. Cradle-to-Career Data Insights Act

10850. The chapter shall be known, and may be cited, as the Cradle-to-Career Data Insights Act.

10851. For purposes of this chapter, the following definitions apply:

(a) "Data System" means statewide data infrastructure that integrates data from various Partner Entities and supports the purposes identified in this chapter.

(b) "Partner Entity" is an organization that can provide information to the Data System to advance the purposes identified in this chapter, including but not limited to, state entities responsible for K-12 education data, public segments of higher education, private colleges and universities, state entities responsible for student financial aid, child care providers, labor and workforce development agencies, and state departments administering health and human services programs.

(c) "Planning Facilitators" means an entity or entities with expertise in data governance, privacy, security, quality, and user-centered design.

(d) "Workgroup" means the Cradle-to-Career Data Insights Workgroup established pursuant to Section 10853.

10852. It is the intent of the Legislature in enacting this chapter to:

(1) Build a Data System to enable Partner Entities to share information in a manner that promotes data privacy and security.

(2) Design a Data System that minimizes the need for new infrastructure, is adaptable, and is flexible to meet future needs.

(3) Serve students and families by:

(A) Identifying and tracking predictive indicators to enable parents, teachers, health and human services providers, and policymakers to provide appropriate interventions and supports to address disparities in opportunities and improve outcomes for all students.

(B) Creating direct support tools for teachers, parents, advisors, and students.

(C) Enabling agencies to plan for and optimize educational, workforce, and health and human services programs.

(D) Advancing academic and governmental research on improving policies within the cradle-to-career spectrum.

(4) Improve the quality and reliability of data reported and ensure consistency of key data definitions.

(5) Identify additional data points and metrics that can be developed and integrated into the Data System to support the goals of this chapter.

10853. (a) The Cradle-to-Career Data Insights Workgroup is hereby established to do the following:

(1) Assess and recommend Data System structural components, processes, and options for expansion and enhancement of Data System functionality, to be outlined in reports required pursuant to Sections 10856 and 10857 of this chapter.
(2) Advise ongoing efforts to develop, administer, and enhance the Data System.

(b) Meetings of the Workgroup are subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

10854. (a) The Governor shall select one or more nominees from the following entities to serve on the Workgroup:

(1) The Executive Director of the California State Board of Education or his or her designee

(2) The California Department of Education, including at least one representative from the Early Learning and Care Division and at least one representative from the Analysis, Measurement and Accountability Reporting Division

(3) The California Community Colleges Chancellor's Office

(4) The University of California

(5) The California State University

(6) The California Commission on Teacher Credentialing

(7) The California Student Aid Commission

(8) The California Employment Development Department

(9) The California Labor and Workforce Development Agency

(10) The California Health and Human Services Agency

(b) By July 15, 2019, each of the entities in subdivision (a) shall, and the University of California is requested to, submit up to five nominees for consideration by the Governor.

(c) Each entity serving on the Workgroup pursuant to subdivision (a) shall, and the University of California is requested to, collaborate with its respective constituents and represent its field and stakeholders in performing Workgroup functions. For purposes of this subdivision, constituents and stakeholders may include, but are not limited to, potential end-users of the Data System and individuals impacted by the programs or services about which data may be collected within the Data System.

10855. (a) The Executive Director of the California State Board of Education or his or her designee shall lead the Workgroup.

(b) The California Department of Education, subject to approval by the Executive Director of the State Board of Education or his or her designee, shall contract with Planning Facilitators to perform, in consultation with the Executive Director of the California State Board of Education or his or her designee, the following duties:

(1) Provide facilitation and staff support to the Workgroup.

(2) Conduct research and gather relevant information for consideration by the Workgroup in fulfilling its responsibilities pursuant to paragraph (1) of Section 10853.

(3) Produce the reports required pursuant to Sections 10856 and 10857 of this chapter.

(4) Support the entities identified in Section 10854 in advancing the purposes of this chapter, including, but not limited to, assisting the entities to complete the activities specified in Section 10858.

(c) For purposes of subdivision (b) of this section, the California Department of Education may enter into exclusive or nonexclusive contracts on a bid or negotiated basis. Any contracts entered into or amended pursuant to subdivision (b) of this section shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(d) Notwithstanding any other law, the Planning Facilitators may subcontract as necessary in the performance of their duties, subject to approval of the Executive Director of the California State Board of Education or his or her designee.

(e) The Planning Facilitators that contract with the California Department of Education pursuant to subdivision (b) of this section may, subject to approval of the Executive Director of the California State Board of Education or his or her designee, convene one or more advisory groups to obtain additional input from potential end-users of the Data System and other interested stakeholders and to inform the Planning Facilitators' work in fulfilling their responsibilities pursuant to subdivision (b).

10856. (a) The Planning Facilitator that contracts with the California Department of Education pursuant to subdivision (b) of Section 10855 shall report to the Department of Finance by March 1, 2020 on the proposed structure of the Data System.

(b) Notwithstanding the deadline specified in subdivision (a) of this section, the Executive Director of the California State Board of Education or his or her designee may submit a request to the Director of Finance to extend the reporting deadline. Any request submitted pursuant to this subdivision shall be submitted no later than February 1, 2020, and shall specify the date by which

the report will be submitted and the circumstances necessitating additional time to complete the report.

(c) The report shall summarize the Workgroup's recommendations for developing the Data System including, but not limited to, the following:

(1) The entity charged with managing the Data System.

(2) The architecture of the Data System necessary to accomplish the purposes articulated in Section 10852.

(3) How access to data will be controlled and authorized.

(4) The means of storing any data or metrics separately from Partner Entities' individual databases, if applicable.

(5) A means of developing common data definitions and identifiers.

(6) The highest-priority data elements necessary to include in the Data System.

(7) Additional data elements necessary for Partner Entities to collect for future linkage to the Data System.

(8) Specific recommendations for addressing security and data privacy considerations, including compliance with existing state and federal data privacy and use laws, and standard elements that will be included in agreements necessary to share data among Partner Entities.

(9) Any specific changes to state statutes that may be necessary for implementation.

(d) The report submitted pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

(e) For purposes of this section, the Workgroup shall not be required to arrive at a consensus as a condition of having a specified recommendation included in the report described in subdivision (c).

10857. (a) The Planning Facilitators that contract with the California Department of Education pursuant to subdivision (b) of Section 10855 shall report to the Department of Finance by September 1, 2020 with recommendations for expanding Data System functionality.

(b) Notwithstanding the deadline specified in subdivision (a) of this section, the Executive Director of the California State Board of Education or his or her designee may submit a request to the Director of Finance to extend the reporting deadline. Any request submitted pursuant to this subdivision shall be submitted no later than August 1, 2020, and shall specify the date by which the report will be submitted and the circumstances necessitating additional time to complete the report.

(c) The report shall summarize the Workgroup's recommendations for expanded and enhanced Data System functionality including, but not limited to, the following:

(1) Users of the Data System, including users authorized to enter data, if applicable, and users authorized to access data.

(2) Steps to be taken to increase data quality at each educational segment and participating entity.

(3) Specific recommendations for addressing security and data privacy considerations, including compliance with existing state and federal data privacy and use laws, standard elements that will be included in agreements necessary to share data across Partner Entities, and a proposed approach for responding to requests from researchers for access to data files that include personally identifiable student data or other data elements subject to state and federal data privacy and use laws.

(4) Support for the development of connections between data elements that reflect students' preparedness for college and career.

(5) Recommendations for future expansion of the Data System to incorporate workforce, financial aid, and health and human services data.

(6) Recommendations for means by which child care providers, public segments of higher education, private colleges and universities, labor and workforce development agencies, and departments administering social services programs can link their data to facilitate matching with educational data records within the Data System.

(7) An implementation timeline, including key project milestones and appropriate phasing and sequencing for functionality expansions and enhancements.

(8) Any specific changes to state statutes that may be necessary for implementation.

(9) The estimated fiscal impact of developing identified enhancements and expansions to Data System functionality, with particular consideration given to:

(A) Estimated implementation and ongoing management costs.

(B) Estimated downstream costs for local educational agencies, postsecondary segments, and other participating entities to revise and update processes.

(C) Funding deadlines associated with key system components and project milestones.

(D) A prioritization of key components needed to best enhance and expand the database in the event that available funding is insufficient to address all desirable elements.

(d) The report submitted pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

(e) For purposes of this section, the Workgroup shall not be required to arrive at a consensus as a condition of having a specified recommendation included in the report described in subdivision (c).

10858. (a) The Partner Entities shall, and the University of California is requested to, enter into memoranda of understanding for data sharing purposes, as necessary for the implementation of this chapter.

(b) By December 1, 2019, the California State University Chancellor's Office, the California Community Colleges Chancellor's Office, and the California Department of Education shall, and the University of California is requested to, develop a means of matching student data in their existing data systems with student data maintained by the California Department of Education, for each newly enrolled student who attended a local educational agency in California. To the extent feasible, the California State University Chancellor's Office and the California Community Colleges Chancellor's Office shall, and the University of California is requested to, develop a means of matching student data collected at the time of application for admission with student data maintained by the California Department of Education, for each student applicant who attended a local educational agency in California.

(c) (1) The Planning Facilitators shall ensure that the California State University Chancellor's Office, the California Community Colleges Chancellor's Office, and the California Department of Education are able to transfer data to, or otherwise share data to allow the creation and use of, the Data System no later than December 1, 2020.

(2) The University of California is requested to transfer data to, or otherwise share data to allow the creation and use of, the Data System by December 1, 2020.

10859. The sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund to the California Department of Education on a one-time basis, for purposes of the following:

(a) Two million dollars (\$2,000,000) for the California Department of Education to contract with Planning Facilitators pursuant to subdivision (b) of Section 10855 of this chapter.

(b) One million one hundred fifty thousand dollars (\$1,150,000) for the following:

(1) Two hundred fifty thousand dollars (\$250,000) to be retained by the California Department of Education for costs incurred for Workgroup and planning activities, and to develop a means of matching student data in its existing data systems pursuant to Section 10858.

(2) Nine hundred thousand dollars (\$900,000) for the California Department of Education to provide each additional entity identified in Section 10854 with one hundred thousand dollars (\$100,000) for costs incurred for Workgroup and planning activities.

(c) One hundred thousand dollars (\$100,000) for the California Department of Education to provide the California State University Chancellor's Office and California Community Colleges Chancellor's Office with fifty thousand dollars (\$50,000) each for costs incurred to develop a means of matching student data in their existing data systems with student data maintained by the California Department of Education.

(d) Fifty thousand dollars (\$50,000) for the California Department of Education to provide the University of California with fifty thousand dollars (\$50,000) for costs incurred to develop a means of matching student data in their existing data

systems with student data maintained by the California Department of Education, contingent upon the University of California's agreement to expend the funds for this purpose.

(e) Six million seven hundred thousand dollars (\$6,700,000) for expansion and enhancements to the Data System, contingent upon advance approval of an implementation plan by the Department of Finance.

(f) Notwithstanding subdivisions (c) and (d), upon recommendation by the Executive Director of the California State Board of Education or his or her designee, the California Department of Education shall transfer additional funds from the funds provided in subdivision (e) to the California State University Chancellor's Office, the California Community Colleges Chancellor's Office, and/or the University of California for initial implementation activities required pursuant to subdivisions (b) and (c) of Section 10858 of this chapter.