

**Introduced by Senators Glazer and Allen
(Coauthor: Senator Wilk)**

December 3, 2018

An act to add Chapter 10.5 (commencing with Section 66810) to Part 40 of Division 5 of Title 3 of the Education Code, relating to student data.

LEGISLATIVE COUNSEL'S DIGEST

SB 2, as introduced, Glazer. Statewide Longitudinal Student Database.

Existing law establishes a system of elementary, secondary, and postsecondary education in this state. Existing law establishes the California Postsecondary Education Commission as the statewide postsecondary education coordinating and planning agency and requires it to serve as a principal fiscal and program advisor to the Governor and the Legislature on postsecondary educational policy. Existing law establishes the California Longitudinal Pupil Achievement Data System, which maintains pupil data regarding demographic, program participation, enrollment, and statewide assessments.

This bill would express the intent of the Legislature to establish the Statewide Longitudinal Student Database to collect and store data regarding individual students as they matriculate through P-20, as defined, and into the workforce. The bill would require the commission to convene a review committee for purposes of advising the commission on the establishment, implementation, funding, and ongoing administration of the database. The bill would require the commission to review the committee's recommendations and develop a database plan on or before July 1, 2021. The bill would exempt contracts entered into by the commission for purposes of implementing the bill's provisions from provisions of the Government Code and Public Contract

Code and from the review or approval of any division of the Department of General Services. Subject to an appropriation in the annual Budget Act or another statute and the completion of specified requirements, the bill would require the commission to develop and implement the database. The bill would express the intent of the Legislature that the development of the database be substantially completed on or before July 1, 2022. The bill would prohibit the commission from implementing the database if there is a determination, after consultation with the review committee, that the commission is unable to obtain necessary, reliable, and relevant data or protect individual privacy rights and confidentiality of the data. The bill would make implementation of its provisions contingent upon an appropriation in the annual Budget Act or another statute for its purposes.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 10.5 (commencing with Section 66810)
2 is added to Part 40 of Division 5 of Title 3 of the Education Code,
3 to read:

4
5 CHAPTER 10.5. STATEWIDE LONGITUDINAL STUDENT DATABASE
6

7 66810. The chapter shall be known, and may be cited, as the
8 Statewide Longitudinal Student Database.

9 66811. For purposes of this chapter, the following definitions
10 apply:

11 (a) “Commission” means the California Postsecondary
12 Education Commission established pursuant to Chapter 11
13 (commencing with Section 66900).

14 (b) “Database” means the Statewide Longitudinal Student
15 Database established pursuant to subdivision (g) of Section 66814.

16 (c) “P–20” means preschool through postsecondary education.

17 (d) “Segments of postsecondary education” means the California
18 Community Colleges, the California State University, the
19 University of California, independent institutions of higher
20 education, as defined in Section 66010, and private postsecondary
21 educational institutions, as defined in Section 94858.

66812. It is the intent of the Legislature in enacting this chapter to do both of the following:

(a) To establish the Statewide Longitudinal Student Database to collect and store data regarding individual students as they matriculate through P-20 and into the workforce. Education and workforce data is reported and collected through many disparate systems. Creating a process to aggregate this data will provide greater transparency regarding the effectiveness of education programs, and the data may be used to inform policy decisions regarding the provision of quality education, reduce education and workforce disparities, and improve education and workforce opportunities for all students.

(b) To encourage education stakeholders, including, but not limited to, the segments of postsecondary education, the State Department of Education, school districts, county offices of education, schools, school teachers and administrators, policymakers, and the community to use such data to develop innovative approaches, services, and programs that may have the potential to deliver education that is both cost effective and responsive to the needs of students.

66813. This chapter shall only be implemented subject to an appropriation in the annual Budget Act or another statute for purposes of implementing this chapter.

66814. (a) (1) The commission shall convene a review committee, composed of education stakeholders and experts, including, but not limited to, at least one representative from each of the following:

- (A) The University of California.
- (B) The California State University.
- (C) The California Community Colleges.
- (D) The State Department of Education.
- (E) County offices of education.
- (F) School districts.
- (G) Private schools, including, but not limited to, private postsecondary educational institutions, as defined in Section 94858, and independent institutions of higher education, as defined in Section 66010.
- (H) Public school teachers.
- (I) Public school administrators.
- (J) The Labor and Workforce Development Agency.

1 (2) The review committee shall advise the commission on the
2 establishment, implementation, funding, and ongoing
3 administration of the database.

4 (3) The review committee shall not have decisionmaking
5 authority related to the administration of the database and shall
6 not have a financial interest, individually or through a family
7 member, in the recommendations made to the commission. The
8 review committee shall hold public meetings with stakeholders,
9 solicit input, and set its own meeting agendas. Meetings of the
10 review committee are subject to the Bagley-Keene Open Meeting
11 Act (Article 9 (commencing with Section 11120) of Chapter 1 of
12 Part 1 of Division 3 of Title 2 of the Government Code).

13 (4) The members of the review committee shall serve without
14 compensation, but shall be reimbursed for any actual and necessary
15 expenses incurred in connection with their duties as members of
16 the committee.

17 (b) The commission shall review the committee's
18 recommendations and develop a database plan that includes, but
19 is not limited to, all of the following:

20 (1) The use of a unique student identifier that is assigned to each
21 pupil upon entrance into the P-20 system and remains with that
22 student as he or she matriculates through that system and into the
23 workforce.

24 (2) Student-level enrollment, demographic, and academic
25 program participation data.

26 (3) Student-level attendance, special education, gifted and
27 talented education, free and reduced-price lunch status, and career
28 technical education participation data.

29 (4) Student-level transcript data, including, but not limited to,
30 data on courses completed and grades earned in grades 7 to 12,
31 inclusive.

32 (5) Student-level college readiness test scores, including, but
33 not limited to, the Preliminary Scholastic Aptitude Test, the
34 Scholastic Aptitude Test, the College Board Achievement Tests
35 and Advanced Placement Tests, the ACT Assessment, and
36 International Baccalaureate exams, if the commission can enter
37 into data use agreements to collect this data.

38 (6) Student-level graduation and dropout data.

39 (7) The ability to match student records between the preschool
40 through grade 12 (P-12) and postsecondary education systems.

1 (8) A state data audit system assessing data quality, validity,
2 and reliability.

3 (c) The commission shall review information collected by the
4 state in education data systems, including, but not limited to, the
5 California Longitudinal Pupil Achievement Data System pursuant
6 to Chapter 10 (commencing with Section 60900) of Part 33 of
7 Division 4 of Title 2, to identify gaps between available and
8 recommended data. The commission may use third-party vendors
9 to assist with the implementation of this chapter. The vendor shall
10 prepare a plan, for submission to the commission, for completing
11 the database and identify which elements of the database can be
12 addressed using an appropriation included in the Budget Act of
13 2020. If available funding is insufficient to address all elements
14 identified, the plan shall prioritize the key components needed to
15 best support the database.

16 (d) The commission shall develop guidance to require the
17 submission of education and workforce data to the database and
18 a methodology for the collection, validation, refinement, analysis,
19 comparison, review, and improvement of data submitted by
20 education and workforce entities and individuals specified pursuant
21 to subparagraph (B) of paragraph (1) of subdivision (e).

22 (e) (1) On or before July 1, 2021, the commission shall submit
23 a report to the Legislature based on recommendations made by the
24 review committee pursuant to subdivision (a) and any third-party
25 vendor pursuant to subdivision (c), that does all of the following:

26 (A) Includes information on the types of data, including, but
27 not necessarily limited to, those specified in subdivision (b),
28 purpose of use, and use case definitions to assist in prioritizing
29 areas of development.

30 (B) Specifies entities and individuals required to report data.

31 (C) Defines and prioritizes data elements to collect, including,
32 but not necessarily limited to, the requirements for data linkages
33 to meet specified purposes and use cases.

34 (D) Analyzes data aggregation and the protection of individual
35 confidentiality to advise on privacy and security.

36 (E) Analyzes and provides advice regarding existing technology
37 and systems and available data that can be leveraged to ensure a
38 streamlined database.

39 (2) The report shall also include recommendations including,
40 but not necessarily limited to, all of the following:

1 (A) Additional legislation needed to ensure that the database
2 receives appropriate data from identified entities and individuals,
3 including, but not necessarily limited to, those specified in
4 subparagraph (B) of paragraph (1), and legislation regarding
5 enforcement mechanisms necessary for these entities and
6 individuals to comply with the requirements of this chapter.

7 (B) Legislation needed to protect individual privacy rights and
8 confidentiality of the data.

9 (C) The type of technology solutions required, including, but
10 not limited to, whether to build a new database or leverage existing
11 databases, or develop a network of networks to facilitate a hybrid
12 version of the two options.

13 (D) Identification of a governance structure, including, but not
14 limited to, identification of the appropriate entity to operate the
15 database.

16 (3) The report submitted pursuant to this subdivision shall be
17 submitted in compliance with Section 9795 of the Government
18 Code.

19 (f) For purposes of implementing this chapter, including, but
20 not limited to, hiring staff and consultants, facilitating and
21 conducting meetings, conducting research and analysis, and
22 developing the required reports, the commission may enter into
23 exclusive or nonexclusive contracts on a bid or negotiated basis.
24 Contracts entered into or amended pursuant to this section shall
25 be exempt from Chapter 6 (commencing with Section 14825) of
26 Part 5.5 of Division 3 of Title 2 of the Government Code, Section
27 19130 of the Government Code, and Part 2 (commencing with
28 Section 10100) of Division 2 of the Public Contract Code, and
29 shall be exempt from the review or approval of any division of the
30 Department of General Services.

31 (g) (1) Subject to an appropriation in the annual Budget Act or
32 another statute, after the requirements of this section are fulfilled,
33 the commission shall develop and implement the database in
34 accordance with this chapter.

35 (2) It is the intent of the Legislature that the development of the
36 database be substantially completed on or before July 1, 2022.

37 (3) The commission shall not implement or operate the database
38 if there is a determination, after consultation with the review
39 committee, that the office is unable to obtain necessary, reliable,

- 1 and relevant data or protect individual privacy rights and
- 2 confidentiality of the data.

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