

An act to add Chapter 8.5 (commencing with Section 10850) to Part 7 of Division 1 of Title 1 of the Education Code, relating to education data, and making an appropriation therefor, to take effect immediately, bill related to the budget.



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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

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

## CHAPTER 8.5. CRADLE-TO-CAREER DATA INSIGHTS ACT

10850. This 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" means an organization that can provide information to the Data System to advance the purposes identified in this chapter and includes, but is not limited to, state entities responsible for elementary and secondary education data, entities responsible for early learning data, segments of public higher education, private colleges and universities, state entities responsible for student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs.

(c) "Planning Facilitator" means an entity with expertise in data governance, privacy, security, quality, reporting, 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 do all of the following:

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

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

(c) Serve students and families by doing all of the following:

(1) 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.

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

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

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

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

(e) 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:



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(1) Assess and recommend Data System structural components, processes, and options for expansion and enhancement of Data System functionality, to be outlined in the reports required pursuant to Sections 10856 and 10857.

(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 each of the following entities to serve on the Workgroup:

(1) The executive director of the state board or the executive director's designee.

(2) The department, including at least one representative from the divisions responsible for early learning activities and education data reporting.

(3) The Office of the Chancellor of the California Community Colleges.

(4) The University of California.

(5) The California State University.

(6) The Commission on Teacher Credentialing.

(7) The Student Aid Commission.

(8) The Employment Development Department.

(9) The Labor and Workforce Development Agency.

(10) The California Health and Human Services Agency.

(b) By July 15, 2019, each of the entities identified in subdivision (a) other than the University of California shall, and the University of California is requested to, submit up to five nominees for consideration by the Governor. The Labor and Workforce Development Agency and the California Health and Human Services Agency may submit nominees from appropriate departments overseen by the agency.

(c) Each entity serving on the Workgroup pursuant to subdivision (a) other than the University of California 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 state board, or the executive director's designee, shall lead the Workgroup.

(b) The department, subject to approval by the executive director of the state board or the executive director's designee, shall contract with Planning Facilitators to perform, in consultation with the executive director of the state board or the executive director's 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 subdivision (a) of Section 10853.

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

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



(c) For purposes of subdivision (b), the department may enter into exclusive or nonexclusive contracts with Planning Facilitators on a bid or negotiated basis. A contract entered into or amended pursuant to subdivision (b) 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, a Planning Facilitator may subcontract as necessary in the performance of its duties, subject to approval of the executive director of the state board or the executive director's designee.

(e) A Planning Facilitator that contracts with the department pursuant to subdivision (b) may, subject to approval of the executive director of the state board or the executive director's 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 Facilitator's work in fulfilling its responsibilities pursuant to subdivision (b).

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

(b) Notwithstanding subdivision (a), the executive director of the state board or the executive director's designee may submit a request to the Director of Finance and the Chairperson of the Joint Legislative Budget Committee to extend the March 1, 2020, reporting deadline described in subdivision (a). A 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.

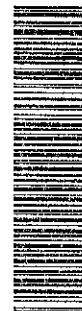
(c) The report shall summarize the Workgroup's recommendations for developing the Data System including, but not limited to, all of the following:

- (1) The entity charged with managing the Data System.
- (2) The architecture of the Data System necessary to accomplish the purposes described 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 law that may be necessary for implementation.

(d) For purposes of this section, the Workgroup shall not be required to reach a consensus as a condition of having a specified recommendation included in the report.

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



10857. (a) A Planning Facilitator that contracts with the department pursuant to subdivision (b) of Section 10855 shall report to the Department of Finance and the Legislature by September 1, 2020, with recommendations for expanding Data System functionality.

(b) Notwithstanding subdivision (a), the executive director of the state board or the executive director's designee may submit a request to the Director of Finance and the Chairperson of the Joint Legislative Budget Committee to extend the September 1, 2020, reporting deadline described in subdivision (a). A 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, all of 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 from each component of the education system 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 between 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' college and career preparedness.

(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 childcare providers, segments of public higher education, private colleges and universities, state 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 law 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 all of the following:

(A) Estimated implementation and ongoing management costs.

(B) Estimated downstream costs for local educational agencies, segments of higher education, 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 if available funding is insufficient to address all desirable elements.



(d) 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.

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

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 Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges 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 department for each newly enrolled student who attended a local educational agency in California. To the extent feasible, the Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges 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 department for each student applicant who attended a local educational agency in California.

(c) (1) The Planning Facilitators shall ensure that the Office of the Chancellor of the California State University, the Office of the Chancellor of the California Community Colleges, and the department 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 no later than December 1, 2020.

10859. The sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund in the 2019–20 fiscal year to the department on a one-time basis, for purposes of the following:

(a) Two million dollars (\$2,000,000) for the department to contract with Planning Facilitators pursuant to Section 10855.

(b) One million one hundred fifty thousand dollars (\$1,150,000) to be allocated as follows:

(1) Two hundred fifty thousand dollars (\$250,000) to be retained by the department 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 department to allocate one hundred thousand dollars (\$100,000) to each of the entities identified in paragraph (1) and paragraphs (3) to (10), inclusive, of subdivision (a) of Section 10854 for costs incurred for Workgroup and planning activities.

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



(d) Fifty thousand dollars (\$50,000) for the department to allocate to the University of California for costs incurred to develop a means of matching student data in its existing data systems with student data maintained by the department, contingent upon the University of California's agreement to expend the funds for this purpose. If the University of California does not agree to expend the funds for this purpose, the department may expend the funds for expansion and enhancements to the Data System, as described in subdivision (e).

(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 state board or the executive director's designee, the department shall allocate additional moneys from the moneys described in subdivision (e) to the Office of the Chancellor of the California State University, the Office of the Chancellor of the California Community Colleges, or the University of California for initial implementation activities required pursuant to subdivisions (b) and (c) of Section 10858.

SEC. 2. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.



## LEGISLATIVE COUNSEL'S DIGEST

Bill No. \_\_\_\_\_  
as introduced, \_\_\_\_\_  
General Subject: Cradle-to-Career Data Insights Act.

Existing law establishes the California Longitudinal Pupil Achievement Data System, which is maintained by the State Department of Education and consists of pupil data regarding demographic, program participation, enrollment, and statewide assessments.

This bill would establish the Cradle-to-Career Data Insights Workgroup, composed of representatives of specified state entities, to provide assessment, recommendations, and advice about statewide data infrastructure that integrates data from state entities responsible for elementary and secondary education data, entities responsible for early learning data, segments of public higher education, private colleges and universities, state entities responsible for student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs. The bill would require the executive director of the State Board of Education to lead the workgroup.

The bill would require the department to contract with entities with expertise in managing data for specified purposes relating to the workgroup's activities. The bill would require those entities that contract with the department to report to the Department of Finance and the Legislature by March 1, 2020, on the proposed structure of the data system, and by September 1, 2020, with recommendations for expanding data system functionality. The bill, by December 1, 2019, would require the Office of the Chancellor of the California State University and the Office of the Chancellor of the California Community Colleges, and would request the University of California, to develop a means of matching student data in their existing data systems with student data maintained by the department for each newly enrolled student who attended a local educational agency in California.

The bill would appropriate \$10,000,000 to the department for purposes of the bill.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

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

