

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
90th General Assembly
Regular Session, 2015

As Engrossed: H3/17/15
A Bill

HOUSE BILL 1748

By: Representatives Tucker, Sabin, Cozart

By: Senators D. Johnson, Elliott

For An Act To Be Entitled

AN ACT CONCERNING THE ESTABLISHMENT OF THE ARKANSAS
P20W EDUCATIONAL DATA SYSTEM; TO IMPLEMENT THE
ARKANSAS P20W EDUCATIONAL DATA SYSTEM ACT; AND FOR
OTHER PURPOSES.

Subtitle

CONCERNING THE ESTABLISHMENT OF THE
ARKANSAS P20W EDUCATIONAL DATA SYSTEM;
AND TO IMPLEMENT THE ARKANSAS P20W
EDUCATIONAL DATA SYSTEM ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 1, is amended to add an additional subchapter to read as follows:

Subchapter 7 – Arkansas P20W Education Data Initiative System

6-1-701. Findings – Intent.

(a) The General Assembly finds that:

(1) There is a lack of state-specific information and data concerning the spectrum of education and training programs to guide state officials in making evidence-based decisions; and

(2) Making data and information available to decision makers is essential to the creation of education and training policy for the state.

(b) It is the intent of the General Assembly that:

(1) Education and technical training programs are held



accountable for participant outcomes;

(2) Individual privacy and confidentiality are protected; and

(3) All federal and state laws related to privacy are enforced.

(c) The General Assembly acknowledges that:

(1) Research and evaluation of publicly funded educational and training programs is necessary for determining program effectiveness;

(2) Student data exists in multiple state agencies;

(3) The Arkansas Research Center was founded in 2009 under the Arkansas Commission for Coordination of Educational Efforts with funds from the Institute of Education Sciences for the purpose of anonymizing cross-agency data sharing efforts; and

(4) Evidence-based, data-driven decision making allows policy makers to adopt sound policies for the benefit of Arkansans.

6-1-702. Establishment.

(a)(1) The Director of the Arkansas Research Center shall establish and maintain an anonymized statewide longitudinal data system known as the "Arkansas P20W Education Data Initiative System".

(2) The system shall be administered and maintained by the Arkansas Research Center.

(b) The purpose of the system is to facilitate and be an access point for:

(1) Studies concerning state education information;

(2) Evaluation of the outcomes of publicly funded programs using anonymized administrative data; and

Information and support for policy makers in the state.

(c) Sustainability of the system is contingent upon the availability of funding.

6-1-703. Definitions.

As used in this subchapter:

(1) "Anonymization" means a process for removing personally identifiable information so that education data, workforce data, and other agency-specific data can be analyzed without disclosing the identity of the individuals whose data is being used;

(2) "Education data" means the following data relating to

student performance from early childhood learning programs through postsecondary education and other training programs:

- (A) College and career readiness;
- (B) Courses and grades;
- (C) Degree, diploma, or credential attainment;
- (D) Demographics;
- (E) Educators;
- (F) Enrollment;
- (G) Financial aid;
- (H) High school equivalency diploma;
- (I) Remediation;
- (J) Retention;
- (K) State and national assessments;
- (L) Transcripts;
- (M) Career and technical education program information;

and

(N) Any other data impacting education deemed necessary by the Arkansas Research Center; and

(3) "Workforce data" means data relating to:

- (A) Certification and licensure;
- (B) Employer information;
- (C) Employment status;
- (D) Geographic location of employment;
- (E) Job service and training information to support enhanced employment opportunities;
- (F) Wage information; and
- (G) Any other data impacting the workforce deemed necessary by the Arkansas Research Center.

6-1-704. Data collected and maintained – Funding.

(a) For purposes of the Arkansas P20W Education Data Initiative System, the Arkansas Research Center:

(1) Is considered an education authority and shall have access to information and data from state agencies required for the purpose of maintaining the data system; and

(2) Shall be governed by the Commission for the Coordination of

Educational Efforts and guided by the Governor's Office or designee.

(b) The Arkansas Research Center shall collect accurate education data and workforce data for the system to provide anonymized, timely reports about student performance through employment and other outcomes that can be used by policy makers in making decisions that will improve the state's public education system and workforce training programs.

(c) The Arkansas Research Center shall maintain data from:

(1) The Department of Education;

(2) The Department of Higher Education;

(3) The Department of Human Services;

(4) The Department of Workforce Services; and

(5) Other state entities identified by the Commission for the Coordination of Educational Efforts or the Governor's Office.

(d) A private institution of higher education, private school, or parochial school may provide education data and workforce data to the Arkansas Research Center for inclusion in the system.

(e) Any education data or workforce data provided to the Arkansas Research Center for inclusion in the system shall be certified as accurate by the entity providing the data.

(f) Funding for the system may come from:

(1) State appropriations;

(2) Federal grants;

(3) User fees; and

(4) Any other grants or contributions from public or private entities.

6-1-705. Duties of the Arkansas Research Center.

The Arkansas Research Center shall:

(1) Develop and maintain the Arkansas P20W Education Data Initiative System that contains education data, workforce data, and other agency-specific data;

(2) Develop and implement standards and protocols for anonymizing data using recognized best-practices;

(3) Conduct research and evaluation regarding federal, state, and local education and training programs at all educational and employment levels;

(4) Audit and ensure compliance of education and training programs with applicable federal and state requirements as authorized under federal or state law;

(5) Define evaluation metrics for:

(a) Statewide education;

(b) Workforce development; and

(c) Employment;

(6) Ensure the integrity and quality of collected data;

(7) Evaluate anonymized education data, workforce data, and other agency-specific data from multiple sources for consideration in developing broad public policy initiatives;

(8) Develop requirements and definitions for data provided to the Arkansas Research Center;

(9) Develop a reasonable fee schedule for services provided;

(10) Establish data quality standards;

(11) Adopt rules for the administration of the system;

(12) Comply with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, the Health Insurance Portability and Accountability Act, 45 C.F.R. § 164.501, and all other agency-specific relevant federal and state privacy laws;

(13) Respond to approved research data requests as permitted under law or rule; and

(14) Enter into contracts or other agreements with entities, including without limitation, federal, state, or local agencies, to carry out the duties under this section if the contract or other agreement incorporates provisions for the protection of any confidential information that is shared.

6-1-706. Rules.

The Department of Education, the Department of Higher Education, the Department of Human Services, the Department of Workforce Services, and all other appropriate departments, agencies, and subcontractors shall adopt rules to implement the data-sharing provisions under this subchapter.

/s/Tucker