

INTERIM STUDY PROPOSAL 2015-055

1  
2 State of Arkansas  
3 90th General Assembly  
4 Regular Session, 2015

*As Engrossed: H3/17/15*

**A Bill**

HOUSE BILL 1748

5  
6 By: Representatives Tucker, Sabin, Cozart  
7 By: Senators D. Johnson, Elliott

8 Filed with: House Committee on Education  
9 pursuant to A.C.A. §10-3-217.

10 **For An Act To Be Entitled**

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

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17 **Subtitle**

18 CONCERNING THE ESTABLISHMENT OF THE  
19 ARKANSAS P20W EDUCATIONAL DATA SYSTEM;  
20 AND TO IMPLEMENT THE ARKANSAS P20W  
21 EDUCATIONAL DATA SYSTEM ACT.

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

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

28 *Subchapter 7 – Arkansas P20W Education Data Initiative System*

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30 *6-1-701. Findings – Intent.*

31 *(a) The General Assembly finds that:*

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

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

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

2 (1) Education and technical training programs are held  
3 accountable for participant outcomes;

4 (2) Individual privacy and confidentiality are protected; and

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

6 (c) The General Assembly acknowledges that:

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

9 (2) Student data exists in multiple state agencies;

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

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

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17 6-1-702. Establishment.

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

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

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

25 (1) Studies concerning state education information;

26 (2) Evaluation of the outcomes of publicly funded programs using  
27 anonymized administrative data; and  
28 Information and support for policy makers in the state.

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

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32 6-1-703. Definitions.

33 As used in this subchapter:

34 (1) “Anonymization” means a process for removing personally  
35 identifiable information so that education data, workforce data, and other

1 agency-specific data can be analyzed without disclosing the identity of the  
2 individuals whose data is being used;

3 (2) "Education data" means the following data relating to  
4 student performance from early childhood learning programs through  
5 postsecondary education and other training programs:

6 (A) College and career readiness;

7 (B) Courses and grades;

8 (C) Degree, diploma, or credential attainment;

9 (D) Demographics;

10 (E) Educators;

11 (F) Enrollment;

12 (G) Financial aid;

13 (H) High school equivalency diploma;

14 (I) Remediation;

15 (J) Retention;

16 (K) State and national assessments;

17 (L) Transcripts;

18 (M) Career and technical education program information;

19 and

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

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

23 (A) Certification and licensure;

24 (B) Employer information;

25 (C) Employment status;

26 (D) Geographic location of employment;

27 (E) Job service and training information to support  
28 enhanced employment opportunities;

29 (F) Wage information; and

30 (G) Any other data impacting the workforce deemed  
31 necessary by the Arkansas Research Center.

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33 6-1-704. Data collected and maintained – Funding.

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

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

4           (2) Shall be governed by the Commission for the Coordination of  
5 Educational Efforts and guided by the Governor's Office or designee.

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

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

12                 (1) The Department of Education;

13                 (2) The Department of Higher Education;

14                 (3) The Department of Human Services;

15                 (4) The Department of Workforce Services; and

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

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

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

24           (f) Funding for the system may come from:

25                 (1) State appropriations;

26                 (2) Federal grants;

27                 (3) User fees; and

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

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31           6-1-705. Duties of the Arkansas Research Center.

32           The Arkansas Research Center shall:

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

- 1           (2) Develop and implement standards and protocols for  
2 anonymizing data using recognized best-practices;
- 3           (3) Conduct research and evaluation regarding federal, state,  
4 and local education and training programs at all educational and employment  
5 levels;
- 6           (4) Audit and ensure compliance of education and training  
7 programs with applicable federal and state requirements as authorized under  
8 federal or state law;
- 9           (5) Define evaluation metrics for:
- 10                   (a) Statewide education;  
11                   (b) Workforce development; and  
12                   (c) Employment;
- 13           (6) Ensure the integrity and quality of collected data;  
14           (7) Evaluate anonymized education data, workforce data, and  
15 other agency-specific data from multiple sources for consideration in  
16 developing broad public policy initiatives;
- 17           (8) Develop requirements and definitions for data provided to  
18 the Arkansas Research Center;
- 19           (9) Develop a reasonable fee schedule for services provided;  
20           (10) Establish data quality standards;  
21           (11) Adopt rules for the administration of the system;  
22           (12) Comply with the Family Educational Rights and Privacy Act,  
23 20 U.S.C. § 1232g, the Health Insurance Portability and Accountability Act,  
24 45 C.F.R. § 164.501, and all other agency-specific relevant federal and state  
25 privacy laws;
- 26           (13) Respond to approved research data requests as permitted  
27 under law or rule; and
- 28           (14) Enter into contracts or other agreements with entities,  
29 including without limitation, federal, state, or local agencies, to carry out  
30 the duties under this section if the contract or other agreement incorporates  
31 provisions for the protection of any confidential information that is shared.
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- 33           6-1-706. Rules.
- 34           The Department of Education, the Department of Higher Education, the  
35 Department of Human Services, the Department of Workforce Services, and all

1 other appropriate departments, agencies, and subcontractors shall adopt rules  
2 to implement the data-sharing provisions under this subchapter.

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4 /s/Tucker

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7 Referred by the Arkansas House of Representatives

8 Prepared by: VJF

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