

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: SB 581a

49th Legislature, 1st Session, 2009

Short Title: Educational Data Warehouse

Sponsor(s): Senator Cynthia Nava

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FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE

AS AMENDED

The Senate Education Committee amendment adds the Office of Education Accountability to the data warehouse council.

Original Bill Summary:

SB 581 codifies the requirements for a pre-kindergarten through post-graduate (P-20) education accountability data system in order to:

- collect, integrate, and report longitudinal student-level and educator data required to implement federal or state required education performance accountability measures;
- conduct research and evaluation of federal, state, and local education programs; and
- audit program compliance with federal and state requirements.

SB 581 includes, as data components, the use of a common student identifier and an educator identifier.

Among its other provisions, the bill:

- defines certain terms, including “data warehouse partners,” as the Public Education Department (PED) and the Higher Education Department (HED);
- requires the partners to promulgate rules; and convene a “data warehouse council;
- defines the “data warehouse council” as representatives from PED, HED, the Children, Youth and Families Department, the Workforce Solutions Department, the Department of Information Technology, public postsecondary educational institutions, and public school districts;
- requires the council to:
 - meet at least four times each year;
 - create a management plan that assigns authority and responsibility for the operation of the data system;

- develop interagency agreements to enable data to be shared; define uses of data; provide access to researchers; and ensure data security;
- develop a strategic plan that includes council timelines, budget goals, and required training for the data system; and
- create policy to ensure reasonable report access;
- contains a requirement that the confidentiality of personally identifiable student and educator data is to be safeguarded consistent with state and federal requirements;
- allows sharing data under certain conditions for educational research purposes and longitudinal studies;
- allows for the collection and distribution of aggregate or individual student and educator data without personally identifiable information; and
- finally, by December 31 of each year, requires a status report to be submitted to the Legislature and the Governor, outlining the ability of the data system to:
 - connect P-20 student records and public school educator to student data;
 - match individual public school student test records;
 - report the number and percentage of untested public school district, school, ethnicity; special education and poverty level, and gender;
 - report high school graduation and dropout data;
 - provide postsecondary remediation, remedial course, and retention data;
 - report freshman-year outcomes of New Mexico public high school students under certain conditions;
 - include data of students who have earned a general educational development (GED) certificate in reporting postsecondary outcomes;
 - provide data collected for the teacher education accountability reporting system;
 - report P-20 graduate student-level data, including enrollment, demographics, program participation, and transcript information;
 - connect performance with financial information;
 - establish and maintain a state data audit system; and
 - provide other student-level and educator data necessary to assess the performance of the P-20 system.

Fiscal Impact:

SB 581 makes no appropriation.

Fiscal Issues:

- Over \$14.0 million has been appropriated to PED by the Legislature since 2005 to design and develop the Student Teacher Accountability Reporting Systems (or STARS) at the department, including authorization for four full-time-equivalent positions.
- Approximately \$9.0 million in federal funds has been applied for by PED and HED to continue the development and expansion of STARS to include postsecondary data through a data system grant from the Institute of Education Sciences (IES). A decision by IES is still pending.

- For FY 10, HB 2, *General Appropriation Act of 2009*, includes a \$1.2 million special appropriation to PED for the hosting costs of STARS and the operating budget management system.
- Also for FY 10, while state funding for the expansion of STARS is unavailable because of decreased state revenues, the federal *American Recovery and Reinvestment Act (ARRA)* includes \$250 million in funding for state longitudinal data systems. According to the act:
 - funds will be awarded competitively to state educational agencies to design, develop, and implement statewide longitudinal data systems; and
 - states that agree to receive the funds must ensure that their data system is able to manage, analyze, disaggregate, and use individual student data; have “linked P-16 systems ; a teacher identification system linked to students; college readiness test scores; postsecondary remedial course work data, and a data audit system.”

It is important to note that in order for a state to qualify for \$318 million in federal Basic Stabilization Funds under the AARA that are to be allocated to states to help avert cuts in state spending, particularly for education, the establishment of a longitudinal data system as described above is among the assurances that the state must meet.

Enactment of SB 581 would help the state meet the assurance requirement for the receipt of these federal dollars.

Issues:

- During the 2008 interim, staff from the Legislative Education Study Committee (LESC) met with representatives from PED and HED to address issues affecting the development of a common student identification (ID) number, including the issues identified above.
- Considering the revenue shortfall affecting the state in FY 09 and FY 10, all parties agreed that any actions to further the implementation of the common P-20 student ID number would need to have a minimal fiscal impact.
- Taking input from both departments into consideration, the LESC-endorsed legislation for consideration of the 2009 Legislature to:
 - create a new section in law that would phase in the creation of a P-20 educational data warehouse. These provisions are included in SB 581; and
 - include the assignment of the PED student ID number to public high school students that enroll in a public postsecondary educational institution after graduating or when participating in the dual credit program. These provisions are included in SB 317, *Use of Student ID Numbers on Transcripts*.
- To further the progress of implementing a common student identifier, the LESC requested HED and PED:
 - in collaboration with community colleges to provide the committee with a plan for assigning the PED student ID number to students enrolling in community colleges;
 - to require that forms completed by secondary students participating in the dual credit program include the PED student ID number. This requirement would enable public

- postsecondary institutions (including community colleges) to assign the PED student ID number to at least a portion of their enrolled students; and
- in collaboration with public postsecondary educational institutions to address additional issues regarding the implementation of the P-20 student ID during the 2009 interim. Of particular importance is the assignment of the P-20 ID to other public postsecondary students that need to be tracked in a fully implemented P-20 data system, including students that enroll in community colleges, and students that did not graduate from New Mexico public secondary schools (out-of-state and private-school students, or students with GED certificates).
- HED’s analysis states:
 - that the department is committed to data sharing and has been working with PED to match data; and
 - however, it notes concern that the central role of the higher education data base is running nearly a billion dollar funding formula.
 - PED reports that most of the K-12 data required to meet the provisions of SB 581 reside in STARS today. PED also reports that working with HED, the two agencies can provide each agency with a system that meets at least a minimum set of requirements, including “data for a funding calculator tailored to specific but disparate needs of each agency.” This statement seems to imply that the data system could be used to calculate the public school and higher education funding formula. It is important to note that the primary purpose of creating the P-20 data system is to collect longitudinal student and educator data and not to calculate the respective department funding formulas.

Background:

New Mexico initiatives that address the development of a P-20 data system

- In 2003, the New Mexico Legislature passed and the Governor signed comprehensive education reform legislation that included a provision requiring PED to issue a state ID number for each public school student as part of the state’s assessment and accountability system.
 - In the 2004 interim, PED reported that a web-based application for the student ID system had been completed that allows selected school personnel, district coordinators, and PED administrators to search for a student using an ID number issued by PED or any combination of first or last name and date of birth.
 - The PED testimony also cited two reasons that a student ID system is necessary: (1) to provide accurate data for the state’s Accountability Data System at PED concerning student performance and status throughout the student’s educational career; and (2) to comply with accountability requirements of the federal *No Child Left Behind Act of 2001* (NCLB).
- Realizing that reliable data are critical to educational research and policy development, the 2005 Legislature included language in the *General Appropriation Act* to establish a comprehensive data warehouse at PED to begin to collect and store student, teacher, course, testing, and financial data in one comprehensive system. In addition, the Legislature has

supported the implementation of this comprehensive data warehouse, known as the Student Teacher Accountability Reporting System (STARS), with appropriations of approximately \$14.0 million (including \$2.9 million for FY 09) to PED, including four full-time equivalent positions.

- Through legislation endorsed by the LESC, the Legislature implemented additional initiatives directed toward providing New Mexico with a single, unified data system that can exchange information within and across pre-K through postsecondary (P-20) education and allow the state to continue monitoring achievement as students move from place to place through the education pipeline. In particular, the 2007 bill requiring HED to use the PED student ID number also included a measure requiring PED to collaborate with public teacher preparation programs and HED to create a uniform statewide teacher education accountability reporting system (TEARS) to measure and track teacher candidates from pre-entry to post-graduation in order to benchmark the productivity and accountability of New Mexico's teacher work force.
- During the 2007 interim, the LESC heard a presentation describing the work of the Data Sharing Task Force, which HED convened in response to a request from the LESC to plan the implementation of a common P-20 student ID. According to staff testimony, the work was to proceed through three phases: (1) extending the student ID system in STARS into higher education; (2) expanding STARS to include higher education data submitted by postsecondary institutions; and (3) adding enhancements, such as a common online application for admission to college and electronic transcribing between P-12 and public postsecondary institutions.
- Taking into account the recommendations of the Data Sharing Task Force, the LESC endorsed legislation to support the implementation of the common P-20 student ID during the 2008 Legislature by codifying the requirements for a comprehensive P-20 data warehouse (STARS) at PED that collects, integrates, and reports data from PED, HED, and other agencies; and by appropriating \$3.9 million to PED to integrate the common PED/HED student ID into STARS. However, the bill was ruled not germane.
- In fall 2008, New Mexico was accepted along with seven other states to participate in the College and Career Ready Policy Institute (CCRPI), a Bill and Melinda Gates Foundation-funded initiative to provide participants with technical assistance in developing high school accountability systems aligned with the expectations of college and the workplace. Participating state entities include HED, PED, the LESC, the Office of Education Accountability, the Department of Workforce Solutions, and the New Mexico Business Roundtable for Educational Excellence. A key goal in New Mexico's proposal to CCRPI was development of its longitudinal student data system.

Related Bills:

SB 123 *Administrators in Accountability Reporting*
SB 152a *Require Freshman Year Outcomes Reports*
SB 317 *Use of Student ID Numbers on Transcripts*