

Statement of Support for Governor's Bill No. 949, "AA Improving Data Security and Agency Effectiveness"

Committee on Government Administration and Elections

March 2, 2015

Bill Cibes, Chancellor Emeritus, Connecticut State University System

Senator Cassano, Representative Jutila and distinguished members of the GAE Committee.

I urge you to give a favorable report to this bill, and press for its adoption by the General Assembly. In my view, the bill has two provisions which are essential.

The first is an affirmative requirement that the confidentiality of data that contains individual confidential information, if provided to or used by a contractor, be protected by the contractor pursuant to a written agreement which contains specific requirements, and provides appropriately stiff penalties if confidentiality is breached. This provision also gives to the Secretary of OPM the authority to require additional protections, above and beyond those specified in Section 1 of the bill, if the statutory language proves to be insufficient to meet future developments. The bill also specifically provides that nothing in the bill supersedes any HIPAA or FERPA requirements.

The second essential provision gives to the Secretary of OPM the authority to implement the Governor's laudable Open Data Policy. It is impossible for democracy to function if citizens do not have access to information about how government agencies are doing their job. It is also impossible for the people's representatives – in the General Assembly – to make policy on behalf of their constituents if data are not available to them. Yet it is my understanding that state agencies routinely find reasons that data either collected or generated by them not be disclosed in a form that permits analysis of that information. This is particularly the case when good analysis requires data from two or more agencies. Agencies may be reluctant to disclose data that shows that they are not achieving their goals. Or an obstacle may be that data systems in different agencies do not produce data in compatible formats. Or agencies may be concerned about the confidentiality of certain information they possess.

This bill cuts through the obstacles and gives the Secretary of OPM the authority to develop a "program to access, link, analyze and share data maintained by executive agencies and to respond to queries" from other state agencies or from any person, to "establish policies and procedures" to respond to queries while protecting the confidentiality of data, to "develop and implement a secure information technology solution to link data across executive agencies," AND, most importantly, to execute an agreement with each agency detailing data-sharing between the agency" and OPM –

providing specifically that "any executive agency that is requested by the secretary to execute such an agreement shall comply with such request."

Let me give a couple of examples of the benefits of such an approach:

When I was a member of the Commission to Enhance Agency Outcomes a few years ago, a recommendation of the Commission was that state agencies providing social services should develop a "Single Point of Entry" or "No Wrong Door" program, so that a person or family needing services would not need to apply multiple times to state agencies, each of which provided a service that might be needed. To do this, data from the agencies must be interoperable. To date, there have been obstacles to developing an SPE or NWD approach.

Secondly, when I was Chancellor of the CSU System, we pressed for an analysis of student success as a student proceeded from elementary through secondary school, on into higher education, and then to employment. Did certain students drop out of high school? Did certain students graduate? Did they possess sufficient skills to go on to higher education? Where did they enroll? Did they require remediation to progress to higher level courses? Did they drop out? If so, did they enroll in another institution (as many did)? How many years did it take to receive a degree? Did they find a job when they graduated? Was this job in the field in which they received a degree? Answers to these questions require information from SDE, from the BOR, from UConn, and from DOL. To date, 9 years after I left my position at CSU, I regret to say that such information has still not been successfully shared, let alone analyzed. This is simply unacceptable. This bill gives to OPM the authority to cut through the obstacles and force agencies to share requisite data – under conditions which protect confidentiality of individual information.

Please give this bill your support.