General Assembly

Raised Bill No. 359

February Session, 2018

LCO No. **1851**

Referred to Committee on EDUCATION

Introduced by:
(ED)

AN ACT PROHIBITING THE DISAGGREGATION OF STUDENT DATA BY ETHNIC SUBGROUPS IN THE PUBLIC SCHOOL INFORMATION SYSTEM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1   Section 1. Section 10-10a of the general statutes is repealed and the
2   following is substituted in lieu thereof (*Effective July 1, 2018*):

3   (a) As used in this section:

4   (1) "Teacher" means any certified professional employee below the
5   rank of superintendent employed by a board of education for at least
6   ninety days in a position requiring a certificate issued by the State
7   Board of Education;

8   (2) "Teacher preparation program" means a program designed to
9   qualify an individual for professional certification as an educator
10   provided by institutions of higher education or other providers
11   approved by the Department of Education, including, but not limited
12   to, an alternate route to certification program.

13   (b) The Department of Education shall develop and implement a
14 state-wide public school information system. The system shall be
15 designed for the purpose of establishing a standardized electronic data
16 collection and reporting protocol that will facilitate compliance with
17 state and federal reporting requirements, improve school-to-school
18 and district-to-district information exchanges, and maintain the
19 confidentiality of individual student and staff data. The initial design
20 shall focus on student information, provided the system shall be
21 created to allow for future compatibility with financial, facility and
22 staff data. The system shall provide for the tracking of the performance
23 of individual students on each of the state-wide mastery examinations
24 under section 10-14n in order to allow the department to compare the
25 progress of the same cohort of students who take each examination
26 and to better analyze school performance. The department shall assign
27 a unique student identifier to each student prior to tracking the
28 performance of a student in the public school information system.

29   (c) The state-wide public school information system shall:

30   (1) Track and report data relating to student, teacher and school and
31 district performance growth and make such information available to
32 local and regional boards of education for use in evaluating
33 educational performance and growth of teachers and students enrolled
34 in public schools in the state. Such information shall be collected or
35 calculated based on information received from local and regional
36 boards of education and other relevant sources. Such information shall
37 include, but not be limited to:

38   (A) In addition to performance on state-wide mastery examinations
39 pursuant to subsection (b) of this section, data relating to students shall
40 include, but not be limited to, (i) the primary language spoken at the
41 home of a student, (ii) student transcripts, (iii) student attendance and
42 student mobility, (iv) reliable, valid assessments of a student's
43 readiness to enter public school at the kindergarten level, and (v) data
44 collected, if any, from the preschool experience survey, described in
45 section 10-515. Such data relating to students shall not be

46 disaggregated by ethnic subgroups unless such disaggregated student
47 data is (I) required under federal law, or (II) collected uniformly for all
48 ethnic subgroups among the entire student population in the state;

49   (B) Data relating to teachers shall include, but not be limited to, (i)
50 teacher credentials, such as master's degrees, teacher preparation
51 programs completed and certification levels and endorsement areas,
52 (ii) teacher assessments, such as whether a teacher is deemed highly
53 qualified pursuant to the No Child Left Behind Act, P.L. 107-110, or
54 deemed to meet such other designations as may be established by
55 federal law or regulations for the purposes of tracking the equitable
56 distribution of instructional staff, (iii) the presence of substitute
57 teachers in a teacher's classroom, (iv) class size, (v) numbers relating to
58 absenteeism in a teacher's classroom, and (vi) the presence of a
59 teacher's aide. The department shall assign a unique teacher identifier
60 to each teacher prior to collecting such data in the public school
61 information system;

62   (C) Data relating to schools and districts shall include, but not be
63 limited to, (i) school population, (ii) annual student graduation rates,
64 (iii) annual teacher retention rates, (iv) school disciplinary records,
65 such as data relating to suspensions, expulsions and other disciplinary
66 actions, (v) the percentage of students whose primary language is not
67 English, (vi) the number of and professional credentials of support
68 personnel, (vii) information relating to instructional technology, such
69 as access to computers, and (viii) disaggregated measures of school-
70 based arrests pursuant to section 10-233n.

71   (2) Collect data relating to student enrollment in and graduation
72 from institutions of higher education for any student who had been
73 assigned a unique student identifier pursuant to subsection (b) of this
74 section, provided such data is available.

75   (3) Develop means for access to and data sharing with the data
76 systems of public institutions of higher education in the state.

77   (d) On or before July 1, 2011, and each year thereafter until July 1,

78 2013, the Commissioner of Education shall report, in accordance with
79 the provisions of section 11-4a, to the joint standing committee of the
80 General Assembly having cognizance of matters relating to education
81 on the progress of the department's efforts to expand the state-wide
82 public school information system pursuant to subsection (c) of this
83 section. The report shall include a full statement of those data elements
84 that are currently included in the system and those data elements that
85 will be added on or before July 1, 2013.

86   (e) The system database of student information shall not be
87 considered a public record for the purposes of section 1-210. Nothing
88 in this section shall be construed to limit the ability of a full-time
89 permanent employee of a nonprofit organization that is exempt from
90 taxation under Section 501(c)(3) of the Internal Revenue Code of 1986,
91 or any subsequent corresponding internal revenue code of the United
92 States, as from time to time amended, and that is organized and
93 operated for educational purposes, to obtain information in accordance
94 with the provisions of subsection (h) of this section.

95   (f) All school districts shall participate in the system, and report all
96 necessary information required by this section, provided the
97 department provides for technical assistance and training of school
98 staff in the use of the system.

99   (g) Local and regional boards of education and preschool programs
100 which receive state or federal funding shall participate, in a manner
101 prescribed by the Commissioner of Education, in the state-wide public
102 school information system described in subsection (b) of this section.
103 Participation for purposes of this subsection shall include, but not be
104 limited to, reporting on (1) student experiences in preschool by
105 program type and by numbers of months in each such program, and
106 (2) the readiness of students entering kindergarten and student
107 progress in kindergarten. Such reporting shall be done by October 1,
108 2007, and annually thereafter.

109   (h) On and after August 1, 2009, upon receipt of a written request to

110 access data maintained under this section by a full-time permanent
111 employee of a nonprofit organization that is exempt from taxation
112 under Section 501(c)(3) of the Internal Revenue Code of 1986, or any
113 subsequent corresponding internal revenue code of the United States,
114 as from time to time amended, and that is organized and operated for
115 educational purposes, the Department of Education shall provide such
116 data to such requesting party not later than sixty days after such
117 request, provided such requesting party shall be responsible for the
118 reasonable cost of such request. The Department of Administrative
119 Services shall monitor the calculation of such fees charged for access to
120 or copies of such records to ensure that such fees are reasonable and
121 consistent with those charged by other state agencies. The Department
122 of Education shall respond to written requests under this section in the
123 order in which they are received.

124   (i) The superintendent of schools of a school district, or his or her
125 designee, may access information in the state-wide public school
126 information system regarding the state-wide mastery examination
127 under section 10-14n. Such access shall be for the limited purpose of
128 determining examination dates, examination scores and levels of
129 student achievement on such examinations for students enrolled in or
130 transferring to the school district of such superintendent.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2018*	10-10a

Statement of Purpose:

To prohibit the collection of disaggregated student data on specific ethnic subgroups unless such student data is required by federal law or collected uniformly across the entire population of students.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]