Maryland Longitudinal Data System Governing Board

December 7, 2010

Minutes

Present:, Michael Martirano, Danette Howard (for James Lyons), Joseph Popovich (for David Wilson), John Ratliff, William Kirwan, Brian Roberts, Ayanna English-Brown, Nancy Grasmick, Alexander Sanchez, Nicole Mariano, Brad Phillips (for Clay Whitlow), Jason Perkins-Cohen, Liz Kameen, Ben Passmore, Adrea Turner and Leslie Wilson.

Welcome (Chancellor Kirwan)

- Called to order at 9:10 a.m.
- Substitutes noted in list of present participants
- Lyndsay Pinkus and Page Kowalski from the Data Quality Campaign
- Member of audience – Lynn Reed, Tim Deboe, Elizabeth Sacks, Jackie Lintern, Paulette Francois, ? York, Shawnie? < Janice Johnson, Kathy Carbello, Charlton Elk, Stan Jukubick, Pat Foerester, Laura? (Spelling may not be accurate).

Open Meetings Act (Elizabeth Kameen)

- **Substantive & Procedural Requirements-** noted in handout- this is a public body because created by legislature. Meetings must be open with limited capability to close meetings. Any time a quorum (6 members) get together to discuss the business (what the legislature states is the business is this group) including conference call, this is a meeting. (to notify the "world" of a meeting being held by conference call, it should be published on websites (MSDE, USM, Governors, etc.), with adequate notice, a day or so)- Be aware that lunch meetings can also be public meetings (so when getting together be careful of talking public business). Emails are not generally meetings, but there should not be conversational emails about proposing ideas, etc. (The statute really defines what constitutes a meeting and what specific topics can be discussed and which cannot)
    - o   There must be notice for public meetings (website, newspapers, etc.)
    - o   Written minutes must be kept
- **Closing an Open Meeting-** A meeting can be closed for a list of reasons (handout)..generally for legal matters and personnel matters. Requires a motion by presiding officer and a majority vote and the form for closing a meeting must be completed each time there is a closed meeting (filled out and signed by presiding officer). The group should check with the Advice of Council (Elizabeth Kameen) before conducting a closed meeting.
- **Ethics Disclosure**- there will have to be disclosure forms, but Elizabeth Kameen will check with the Ethics Commission about this and get back to the group. (The original appointment letter states that the form was to be filled out and some board members received it and completed it).

Funding Management (Elizabeth Kameen, Leslie Wilson, and Ben Passmore)

- **Memoranda of Understanding & Administrative Responsibilities & Project Management** - Recommendation from Leslie Wilson (representing a workgroup on this issue) to overcome some hurdles and allow MSDE to provide funds with direction from this governing board to begin development of the LDS. A viable method to transfer the RTTT funds to the development of the data system. There is not a current functioning unit to do the work and there is no way to manage and supervise the work. Prosing a three party agreement, the governing board, MSDE, and USM would sign an MOU under which USM would agree to conduct the work on behalf of the board, MSDE will fund the work, and this governing board will have the ability to approve the work (budget, individual projects, etc.) Particularly until the MLDS Center is operational. The board will have control over the project and will be the body that USM is responsible to MSDE will have final approval since they are providing funds and being held responsible for those funds. They are requesting approval from this board to go ahead with the MOU
    o USM is the logical choice to place the work because the other agencies (MHEC and MSDE) are already overwhelmed with RTTT projects, DLLR is focused on their own Department of Labor grant- USM has the capacity to do the work. The personnel who are to do this work are already in place at USM (Don Spicer and Stan Jukubick). USM has procurement agility because they have their own procurement ability. USM is not looking to be the final place where the center goes so is not biased in trying to "own" the project- this is a transitional arrangement, at some point this would move off to a permanent arrangement (this will depend on how effectively the procurement process goes in finding a physical site- the hope is to have the site identified by mid next year and then hiring an executive director- so by the end of next calendar year, the transition away from USM to the center should begin). The RTT money is for the development of the center, no staffing, etc.- so state money will have to be obtained subsequent to the RTT money for staffing etc. – RTT funding allows for four years of funding, depending on how this rolls out will depend on when we run out of RTT money- so within four years we need to transition away from RTT funding and the MOU. The idea is to phase in state funding while phasing out RTT funding.
    o Motion moved and seconded- Passed 10 , Abstention 1 (Chancellor Kirwan abstained since the system is part of the vote).

LDS Interagency Workgroup (Adrea Turner)

- **Purpose-** In 2009 the Governor charged an LDS committee (chaired by Dr. Kirwan and Dr. DeGraffenright) to begin the work of this committee- this committee was reconvened to provide the staff support to the board. The request is being made to formally charge this group as a technical workgroup (for example, the funding management workgroup) to continue the staff level work for this group. Two motions are to formally charge as well as to suggest participants for the group (about same level of participation- folks with the technical expertise to do the technical work)- suggested membership lists handed out. It is to be a staff level forum of the folks on the Governing Board to key things up for the Governing Board meetings.
- **Recommended Participants-**

- o An IT representative from one of the School Systems- the actual users, someone from a school system, should be included in this group to provide advice of whether this could actually work (Michael and Dr. Grasmick will make a suggestion for a specific person to Adrea)
- o A Policy Evaluation person from the School System should also be included since they will be doing much of the analysis
- o As the work progresses, there will need to be <u>a resource group</u>, may not be permanent members, but to have them "test" the work at particularly junctures. This should include individuals from all levels (workforce, K-12, higher ed, etc.)...this group might change depending upon the issues.
- o Representation for "For-profit" schools (?)- For profit schools are outside of the information collection structure- to include them in the system we would have to put in an entirely new set of reports- the workgroup is discussing this notion- as it stands now, the only information that will be part of the system is the current data we have, which does not include much data for "for-profit" sector- to mandate reporting, it would require legislation because they are independent entities. (Not for profits do not currently need to seek MHEC approval if they are operating within our state under most circumstances)- This is an area that will need to be explored as the work of the board and workgroup continues. In the authorizing legislation requirements, any proposed additional data sets should be included in annual reports to the Governor and legislature, so this could be reported. (Additionally we do not collect data from our out of state collegiate partners who educate Maryland students- eventually they should be included as well)
  - ▪ It seems to make sense to not address this during this session, but to have some conversations separately- to develop our own structure and stability before addressing other stakeholders.
  - ▪ The architecture of the system will allow for adding on additional data down the line- it is specifically designed to be able to include more information at a later date. (This could be the work of the workgroup- to present additional data that is needed or will be needed to the Governing Board- look at what are the collective data sets that need to be included).
- o Include a representative from the smaller independents- Adrea will contact Tina Bjarekull to ask for a suggestion as to "who" that representative should be.
- - **Formal Charge –** Motion made to establish this interagency workgroup - Additions: as appropriate they will advice important stakeholders, will include two more members (K-12 IT person and Independent Rep). Passed unanimously.

Request for Information (Ben Passmore)

- - **Questions/Suggested Edits –** Copy of the RFI was provided- the document outlines the capabilities needed, reviewed by MHEC, MSDE and System staff – has been reviewed by the workgroup and attorney general's office to make sure language is effective and legal. The

current set up is that the RFI would be listed and information would hopefully be back by the middle of/end of January to do a quick turnaround to start the procurement process.

- o Specific two sets of requirements- to meet the specific policy requirements of the RTT funding and how they are capable of handling this information.
- **Review Process**
  - o There is a need to think of bringing on a temporary project manager, someone to do the technical architecture work until the center is working. This person would be hired through USM and funded by RTTT money and would do initial review of these proposals to see if they meet the basic technical requirements.
  - o Then the second round we would engage some outside experts to offer opinions on the proposals and then move forward from there- we don't want to quickly narrow this – The idea is to review how institutions and entities propose to do this work- this information would be used to shape the RFP.
  - o RFI would come back by end of January, it would take about 2 to 4 weeks to shape the RFP- the RFP would go out and then it would take about 5-6 months before we could award the contract
- Requesting Approval of the RFI to go out- moved and seconded- Unanimous approval (with friendly amendment below and spelling corrections)
  - o Suggestion: on page 6- add DHR to the list after Temporary Assistance for Needy families. (Also, Paulette from DLLR had some suggestions for procurement, Ben will work with her on that) – when talking about ETL, it is typically a process, so wording should change on page 2
- Requesting Approval to hire someone to be a project manager to manage the RFI process and carry out the technical work for 6 months to a year (this will also be part of the interagency MOU) – the Board feels this is covered when the financial management was approved

Report to General Assembly (Ben Passmore & Adrea Turner)

- **Questions and Suggested Edits-** Draft statement was provided- We are required each year to report to the GA to provide an update on the first 5 points on page 2 of the report (Implementation, proposed studies, recommendations to the board…)- the report is ahead of itself because we haven't done much- the main thing is to describe the planning activities, to describe the activities we are trying and planning to do to tee up legislator's questions- did anticipate us moving forward as we have today (Which could have been removed)...talks about assignment of attorney general, etc. This report will be the briefest one because we haven't done much yet.
  - o All comments should be submitted to Adrea and Ben by this Friday (12/10/10)
  - o It is an ongoing struggle to link people who move from MSDE to the workforce because they are identified in MSDE by unique identifiers and then only by social security in the workforce- it is reflected in this report as what we can do and are trying to do- the report does not specifically mention graduates into workforce- it is a technical problem,

but will be added to the report (Question 2- will add "and percentage that enter workforce and military")

- o 18 policy questions came directly from the first report of the workgroup to the Governor in 2009-so this is the initial list (reemphasize that and identify there are a number of areas that need to be expanded)
- o This issue must remain on the agenda because the Department of Labor is looking for this too-the fact that it is a challenge means it should stand out as a place that we need to put more effort – it will be reworked in the report to talk about an issue worth mentioning that it is a struggle in the technical sense (It is covered in the RFI)
- o At some point there is a need to discuss all the ideas, but we need infrastructure and consistency throughout to address these issues- it should be acknowledged to the GA that there is a wide gap between LEAs in the technical infrastructure to do this work (in the report, under the area of system structure- it should be explicitly defined and explained- add another bullet addressing infrastructure disparity)- there is also a fiscal note associated with trying to create uniformity- higher Ed disparities for higher Ed (relevant to all sectors)- this may be an issue that the workgroup has to review at some time- there is a concern about the staff to process all of this data- so it is technical infrastructure and a staffing issue (keeping up with requirements will add to the staffing issues in the short term)
- **Deadline-** Report is due December 15th- the minutes from this meeting will be reviewed and it will be reflected in the report. MSDE is putting together a comprehensive list of assurances that the Governing Board will have to meet which will also be included.
- **Request for Approval-** The board agrees that the staff should put the report into final form and resubmit to the board**.**

Update on Issues from last Meeting (Adrea Turner)

- **Privacy and Governance Plans** – In report to the GA it does touch on the activity at federal level, friends at Data Quality Campaign are doing a lot of work to inform our privacy and governance plans (currently taking a survey of all privacy plans in stated and federal levels and provide an analysis for a best practice model that we can pull from to create our own privacy and governance plan. Also, USDOE has created a new department addressing student privacy issues- we are awaiting clarified information about FERPA from this group. We are going to continue working on these plans through the workgroup and will bring back best practices to the Governing Board.
- **Update on National Activities-** - taking the policy questions included in the report and also looking at the federal assurances under RTT and other national assurances- analyzing our current ability to respond to the policy questions and assurances. To set expectations to the expected timeline to address questions and assurances. Hope to be presented during the next meeting (Workgroup is working on it).

Future Meetings (Ben Passmore)

- There is not another meeting currently scheduled-the workgroup is working on dates to try to have the group meeting on a monthly basis- looking at a January date – the Governing Board will be receiving an email (if they haven't already) to put dates on the calendar. This monthly meeting schedule will be important during the monthly stage and individuals can send substitutes. (We will likely need another meeting location).

- Adrea will resend the membership list with contact information (specifically to Dr. Martirano) and also the minutes will be sent from this meeting before the next meeting.

Conclusion (Chancellor Kirwan)

- Concluded at 10:35 a.m.