

MARYLAND LONGITUDINAL DATA SYSTEM (MLDS)
550 West Baltimore Street
Baltimore, MD 21201

GOVERNING BOARD MEETING

March 13, 2015

MINUTES

The meeting of the Maryland Longitudinal Data System (MLDS) Governing Board was held on March 13, 2015, in the Maryland State Department of Education (MSDE) Board Room of the Nancy S. Grasmick Building. Dr. Kirwan, Chair of the Governing Board, called the meeting to order at 10:00 a.m. and noted that a quorum was present.

The following Governing Board members were in attendance:

Dr. William “Brit” Kirwan, Chancellor, University System of Maryland and Chair
Dr. Jennie Hunter-Cevera, Acting Secretary of Higher Education and Vice-Chair
Mr. Brian Roberts, Change Management Specialist, Montgomery County Government
Ms. Donni Turner, Department of Labor, Licensing, and Regulation (Designee for Secretary Kelly Schulz)
Mr. Pat Pscherer, Maryland Independent Colleges and University Association (Designee for Tina Bjarekull, President)
Ms. Jennifer Mullinix, Math Teacher, Wilde Lake Middle School, Columbia, Maryland
Dr. Bernard Sadusky, Executive Director of the Maryland Association of Community Colleges

The following staff members were in attendance:

Mr. Ross Goldstein, Executive Director, MLDS Center
Ms. Laia Tideman, Director of Data Management, MLDS Center
Dr. Michael Woolley, Director of the Research Services Branch, MLDS Center
Dr. Laura Stapleton, Associate Director of the Research Services Branch, MLDS Center
Dr. Angela Henneberger, Research Coordinator, MLDS Center
Ms. Dawn O’Croinin, Assistant Attorney General for the Governing Board and MLDS Center
Ms. Jamese Dixon-Bobbitt, Executive Associate, MLDS Center
Ms. Tejal Cherry, Director of System Management Branch, MLDS Center
Mr. Chuck Shelton, Senior System Architect, MLDS Center

Dr. Kirwan asked if there were any additions to the agenda. Mr. Roberts, asked for an opportunity to discuss the research agenda and how the Center will engage different audiences. Specifically, Mr. Roberts stated that he wanted tangible take aways for what the Center can and will do with the data and how the Center can be leveraged to conduct different program evaluations.

MLDS Center Report

Staffing

Mr. Goldstein began by noting that staffing continues to be a significant challenge. At the last meeting a new employee, serving as the ETL Developer, was introduced. Unfortunately, that employee abruptly quit after only three weeks. The ETL Developer is the position responsible for loading data

into the system. The Center has filled that position with a contractor who worked on the project in the past and has the necessary familiarity and expertise with the system to be immediately effective. However, the Center lost about two months of data loading until the contractor was engaged.

Mr. Goldstein next provided a status of the 15 MLDS Center positions:

1. Nine are filled by state employees;
2. Three positions are filled by contractors;
3. The MHEC and DLLR shared positions are currently vacant (MHEC is starting interviews for its position, which had been filled by Jon Enriquez, and DLLR is starting the recruitment process); and
4. One position remains vacant, but plans are being developed to use the position to hire someone to assist with grant applications and management.

Budget

In addition to the across the board 2% reduction applied to all State agencies, DBM also proposed an additional \$300,000 targeted cut. The Center is able to offset this cut because MSDE has available funds from the 2012 State Longitudinal Data System (SLDS) Federal Grant. The Center and MSDE are finalizing a MOU for the fund transfer.

Dr. Kirwan noted that there is a risk of losing base funding by replacing general funds with non-recurring grant funds and that this could leave a hole in the MLDS budget in future years. Mr. Goldstein agreed that this was a concern, but noted that there was no indication from DBM that this would result in a reduction in MLDS Center's budget target. Due to the high staff vacancy rate, DBM determined that the Center could absorb the cut.

Assistant Attorney General's Report

Ms. O'Croinin began by noting that the Memorandum of Understanding between MSDE and the MLDS Center for the hosting of the MLDS data center within the MSDE data center has been completed.

Ms. O'Croinin also reminded the Governing Board members of their obligation to file the Maryland Financial Disclosure Statement. The public ethics law applies to all members of the Governing Board and the filing is due by April 30th. New filers must file the disclosure within 30 days after beginning the position for which filing is required.

Next, Ms. O'Croinin reported that she recently completed a memorandum that she will be circulating to the members that provides advice on the Governing Board's role in creating or developing public policy. The memorandum discusses the legislative intent of the authorizing statute for the MLDS and addresses the question of whether the MLDS or its Governing Board should be engaged in policymaking.

Specifically, Ms. O'Croinin explained that the Maryland Legislature enacted Senate Bill 275, entitled "Education – Maryland Longitudinal Data System" in 2010. This became the legislation authorizing the creation of the Maryland Longitudinal Data System Center. In 2011 the General Assembly amended Md. Code §24-707 by adding subsection (c) concerning for-profit and private nonprofit institutions of higher education and institutions of postsecondary education. In 2012, the General Assembly again amended §24-707 to include data collection from institutions which provide fully online educational programs to Maryland residents. In 2013, the General Assembly enacted Chapter

533 of the 2013 Laws of Maryland (Senate Bill 740), known as the College and Career Readiness and College Completion Act of 2013. This amendment added §24-703.1, requiring the MLDSC to provide an annual report on dual enrollment. The General Assembly also amended the MLDSC statute by enacting Chapters 490, 678 and 679 of Maryland Laws 2013 which added the President of MICUA, or the President's designee, to the composition of the Governing Board of the MLDSC, and requires that private nonprofit institutions of higher education that receive State funds must transfer student-level enrollment data, degree data, financial aid data, and credit data for all students to the MLDSC. It further provided that for-profit and private nonprofit institutions, including MICUA are not liable for breach of confidentiality, or for disclosure, use, retention, or destruction of student-level data transferred to the MLDSC in accordance with the Data Security and Safeguarding Plan where the breach or disclosure results from an act or omission on the part of the MLDSC, another State agency, or an agent thereof.

The primary goal of statutory interpretation is to identify and effectuate the legislative intent underlying the statute at issue. The language of the statute must be given its ordinary and plain meaning. All parts of the statute are to be read together to find the intention as to any one part, and all parts are to be reconciled and harmonized if possible.

Having reviewed the original draft of SB 275, the proposed amendments thereto, and the corrected version of SB 275 with amendments and deletions, it can be concluded that there is no language in the statute as enacted, or in the drafting of the statute which suggests that a policy advisory role or policy making function was ever intended for the MLDSC or its Governing Board. The references to policy in §24-704 with respect to the Governing Board simply states that the Governing Board shall "Establish the policy and research agenda of the Center", §24-704(g)(5), "Develop and implement policies to comply with the federal Family Educational Rights and Privacy Act and any other privacy measures, as required by law or the Governing Board," §24-704(g)(6)(ii), and "Review research requirements and set policies for the approval of data requests from State and local agencies, the Maryland General Assembly, and the public." §24-704(g)(10). With respect to the Center itself, §24-703(f)(3)(v) provides that the Center shall implement guidelines and policies to prevent the reporting of other potentially identifying data. Section 24-703(f), entitled "Functions and duties" of the Center states that the Center shall "Conduct research using timely and accurate student data and workforce data to improve the State's education system and guide decision making by State and local governments, educational agencies, institutions, teachers, and other education professionals." This language does not establish a policy making function for the MLDSC or the Governing Board. If the General Assembly had intended for either the MLDSC or the Governing Board to have a policy making function with respect to the research and data output of the Center, the General Assembly would have written it into either §24-703 or §24-704 describing the duties of the Center and the Governing Board.

A comparison with the authorizing statute for the Maryland Higher Education Commission is instructive. Section 10-201 of the Education Article states, "This subtitle is the Maryland Charter for Higher Education which is a statement of policy for higher education in Maryland." Md. Code, §10-201. The sections of the subtitle which follow set forth the policy goals and considerations for higher education in Maryland. *See* Md. Code, Ed. Art. §10-202 (setting forth the policy considerations upon which public higher education in Maryland should be based); §10-203 (establishing the goals and authority for MHEC to establish funding policies for financial aid programs administered by the Commission); §10-204 (setting forth the policy goals of public institutions of higher education); §10-205 (setting forth the higher education goals of the State for its residents over time); and §10-206 (establishing the duties of the Governor and General Assembly with respect to public policy and

funding for higher education in Maryland). MHEC has an unambiguous statutory mandate to “[a]dvise the Governor and General Assembly on statewide higher education policy.” Md. Code, Ed. Art., §10-207(1).

The MLDS must not assume functions and duties not designated to it by statute. If the General Assembly intends for the MLDS to assume a policy making role, it would have to assign such a legal duty to the agency by amending the statute. As written, the statute does not contemplate a policy advisory role for the MLDS.

Dr. Kirwan asked why this memorandum was drafted? Ms. O’Croinin responded that the topic of the Board’s role in setting policy had been discussed in prior meetings. Dr. Kirwan noted that the MLDS was never intended to be a policy making body and that its purpose is to oversee collection and dissemination of data. Dr. Hunter-Cevera noted her agreement and added that the MLDS serves the function of enabling better policy decisions. Ms. Turner asked whether the MLDS could make a recommendation to an agency to review a policy? Ms. O’Croinin said such a recommendation would not be appropriate. The MLDS can provide guidance and information, but should stop short of actually recommending that an agency consider a certain policy. Dr. Sadusky agreed with this clarification noting that a recommendation by the MLDS could create the impression that an agency should or should not be undertaking a specific policy.

Research Update

Dr. Woolley began by noting that the Center has experienced a growth spurt due to filling key positions as well as having data that can be analyzed and manipulated. This has allowed the research and IT teams to work collaboratively and come to shared understandings of system design and research needs. The research team participated in the creation of the data quality standards, has begun running analyses, and has developed a *Consumer Guide to MLDS Reporting*. The guide will inform consumers of MLDS dashboards and other information on how to read and interpret the information provided. Dr. Henneberger took the lead on assembling the *Guide* - which was drafted by all members of the Research Team and Ms. O’Croinin, who wrote a section on privacy and confidentiality.

The next research series will be conducted by researchers from the Baltimore Education Research Consortium (BERC). They will be highlighting their research on Baltimore City students and their need to receive remedial or developmental education when they start college. The presentation for May will be done by Allison Preston, a doctoral student working with the Center. Ms. Preston will discuss best practices and strategies for effectively and clearly presenting data.

Over the next several months the doctoral students and Dr. Henneberger will be attending advanced methodological workshops to learn advanced statistical skills for analyzing longitudinal data.

Finally, Dr. Woolley noted that the Research Team is looking at grant opportunities, which would expand the Center’s capacity to conduct research. The goal is to find a grant opportunity that is within the research agenda.

In response to a question by Dr. Hunter-Cevera, Dr. Woolley responded that the grant opportunities reviewed so far were all federal (IES, NSF, etc.) but that he was aware of other non-federal grants from foundations. Dr. Hunter-Cevera noted that she had experience identifying and successfully applying for non-federal grants and offered to setup a meeting to help the Center work on identifying these resources.

Mr. Goldstein, addressed the issue raised by Mr. Roberts at the beginning of the meeting regarding the research agenda and how the Center will engage different audiences. Mr. Goldstein began by noting that the research agenda is very broad and has a lot of potential sub-questions under each of the questions. This provides the Center the latitude to engage with different issues - but still provides guidance on the broad topics the Governing Board wants the Center to stay focused on. In addition, as the Center works with different groups the Center will be able to ensure that it is generating information in areas that policy makers want. For example, Center staff met with legislative staff who requested information on charter schools. That conversation led directly to the decision to focus on charter schools for the initial website information that will be reviewed later in the meeting. The Center will also engage different audiences as the community of researchers learn about the Center. For example, he and Dr. Henneberger have met with Baltimore's Promise, an organization focused on city youth and their trajectory from birth to workforce. They want to work with the Center to obtain data analyses that will help them understand different education and workforce outcomes. Finally, Mr. Goldstein noted that a challenge will come when it is time to prioritize the various requests. Presently, as requests are received by the Center, staff determines whether the request fits within the Center's current Research Agenda, and how the Center may respond within the legal framework. However, at some point the requests are going to exceed resources.

Mr. Roberts noted that a lot can be done with the data and this creates a big challenge, but it appears the Center is addressing the challenge. Mr. Roberts requested a copy of the Research Agenda and the opportunity to provide input at the next meeting. Dr. Kirwan concurred with the request.

System Update

Ms. Cherry directed the Board to the development timeline that was handed out with the other meeting materials.

1. *Security and User Access Tasks* - The Center is working towards completing the establishment of user groups. The Center continues to meet the security training requirements through compliance with the DoIT Security Mentor Training program.
2. *Development* - Staff has installed the Oracle products (OWB, ODI, WebCenter, OBIEE, MS/AD, Weblogic, and MFT), completed the charter school data snapshot, and begun plans to develop a high school feedback dashboard. Staff has also worked successfully to improve data quality and data matching rates.
3. *Test and Production Environment* - The Center has accomplished approximately fifty percent of the work necessary to complete the test and production environment at MSDE, including installing servers, creating VLANS, building firewalls, installing VMWare and creating virtual servers. Staff completed the installation of statistical analysis software for the research team. Offsite backup solutions will be addressed in upcoming weeks.
4. *Data Load* - The Center is behind schedule in data loading and has not yet completed the loading of wage data. However, National Student Clearinghouse (NSC) data has been loaded. Dr. Kirwan noted the importance of the NSC data and the capacity it provides to track student enrollment and graduation nationally. In reports generated by USM, the addition of Clearinghouse data created an increase in overall student completion rates and indicates that higher education as an enterprise has better completion rates than generally understood. Prioritizing and scheduling data loads is an ongoing activity of the Center.
5. *Standard Operating Procedures* - The data reporting standards are complete. The IT team will begin work on developing standard operating procedures for change control, log aggregation,

and audit reporting as well as plans and procedures for Disaster Recovery and Vulnerability Testing.

Data Reporting Standards

Mr. Goldstein began by noting that at the last Governing Board meeting staff presented a proposed dashboard on college attendance rates for high school graduates (High School Feedback Report). There were issues with that report and the Board directed the staff to create standards for reporting data and made it a recommendation in the *Annual Report to the General Assembly and Governor*. Specifically, the recommendation in the *Annual Report* was to develop standards that:

- a. Assess whether data relied upon for a report are sufficiently complete to support the information reported;
- b. Assess whether the information presented can be reconciled against other sources;
- c. Provide criteria for determining whether information based on incomplete data is appropriate to be reported; and
- d. Establish methods for informing the public regarding information published

The standards have been developed. The Center staff had several opportunities to work with the Research and Policy and Data Governance Advisory Boards to gain input and ensure the standards were comprehensive and complete. The document being reviewed today was provided to the Board two weeks prior to the meeting.

Mr. Goldstein noted that in the background section of the standards, there is a discussion of the fact that data is collected from the agencies who in turn collect the data from a variety of sources for reasons other than MLDS reporting purposes. This creates issues of accuracy and completeness. Given the data challenges, the goal of the standards is not to eliminate reporting of information where data are of limited quality. Instead, the goal of these standards is to assess the data limitations and the impact of those limitations on reporting, but still find ways to provide valid, credible, and meaningful information from the data.

Ms. Tideman stated that the charter school Data Snapshot that had been developed for the website was used as a test case to apply the Data Standards. The charter school topic was chosen since it represented a timely issue, corresponded to a request from legislative staff, and contained a concise data set with which to work.

There are seven steps of the data standards. *Step One* is to identify the question. The team started out with a very broad question: Who are charter high school students and where do they enroll? This first step also includes a determination that the question aligns with the Research Agenda. In this case it was determined that the proposed question aligns with Research Agenda question: “What percentage of Maryland high school exiters go on to enroll in Maryland postsecondary education?” *Step Two* is to determine what data the Center can use to answer the question. In this case it was determined that MLDS had high school graduation data, demographic data, MHEC fall enrollment data, and National Student Clearinghouse enrollment data. *Step Three* is to operationalize the question based on the data available to the center. The operationalized question is as follows: Who are Maryland charter high school students graduating between 2008 and 2013 and where do they initially enroll in college? *Step 4* is to determine whether the question has been answered with the same or similar data elements. The team checked information already published by MHEC and MSDE and determined that the planned information is more in depth than information currently publicly available. *Step 5* is to determine the accuracy of the identity matching. To demonstrate the process used for identity matching, Ms.

Tiderman provided a chart showing the match rate based on different matching criteria. The chart demonstrates a significant improvement in the matching rate once the National Student Clearinghouse data was added. There was a discussion about why the match rate was so low for Maryland high school graduates attending a Maryland institution. Dr. Enriquez explained that the low matching rate is due to the fact that the MHEC data used does not contain student names or the State Assigned Student Identifier (SASID). Future MHEC data will include those fields and improve the in-state matching capability. Dr. Passmore stated that the MLDS match rate is very close to what is generally thought to be the college going rate both statewide and when looking at individual county college going rates.

Ms. Mullinix asked how the Center planned to decide what topics would be on the website in the form of a dashboard or snapshot. Mr. Goldstein stated that Charter Schools was a topic that fit under the research agenda and was a request by legislative staff who identified it as a key issue for the legislative session. Mr. Goldstein also noted that establishing priorities and deciding on topics would be an ongoing discussion with the advisory boards.

Dr. Henneberger explained that *Step 6* requires an examination of the completeness of the actual variables needed for the analysis. In this case, staff determined that race/ethnicity and gender variables were available for all high school students. The other key variable is college enrollments. The data received from the National Student Clearinghouse does lack a few institutions that do not provide information, such as the military academies and certain career and technical schools. Nonetheless, the Clearinghouse captures 98% of the population of students attending higher education. Finally, *Step 7* requires a verification of the results by examining other published sources. In this case, both MSDE and MHEC have reported data that can be used to verify aspects of the charter school snapshot (such as the number of high school graduates and approximate college going rates). There is also a charter school report by the Schaeffer Center that was reviewed. It was determined that the Center's information aligns with the other sources.

Data Snapshot - Charter School Graduates

Ms. Cherry walked the Board through the six pages that comprise the Charter School Data Snapshot. The first page provides an overview about charter schools, the number of schools in existence, and the population of students that are the subject of the analysis. In response to a question from Dr. Kirwan, Ms. Tiderman clarified that there are 47 charter schools in operation, ten that include high school programs, and only five charter schools that had graduates between 2008 through 2014 (one of which is no longer operating). In response to a question by Dr. Sadusky, Ms. Tiderman responded that currently the Center does not have enrollment information and therefore cannot report on how many years a graduate of a charter school attended that charter school, but recognizes that this is an important factor to understand.

Ms. Cherry and Ms. Tiderman continued walking through the Charter School Data Snapshot pages which include the number of graduates from each of the five charter high schools, the number of charter high school graduates who enrolled in college, an analysis of when the charter high school students enrolled in college (noting that there were students who enrolled in college for the first time in as much as six years after high school), a comparison of the race/ethnicity and gender composition of the charter high school graduates and the college enrollees, and information on the top four schools in which students enrolled and the type of schools in which the students enrolled (in-state or out-of-state, public or private, and 2-year vs. 4-year).

Ms. O’Croinin noted that throughout the snapshot certain data that may be identifiable because of the size or uniqueness of the population is suppressed and represented by a symbol to ensure compliance with FERPA (Family Educational Rights and Privacy Act). Ms. O’Croinin stated that she has prepared an advice memorandum for staff that provides suppression guidelines and will make that information available to the Governing Board.

Mr. Pscherer, noting that multiple data sources are being used (MSDE, MHEC and Student Clearinghouse) asked which data source’s race/ethnicity information is used if there is a discrepancy? Mr. Murphy responded that on this data snapshot, the race/ethnicity listed by MSDE when they graduated was used (unless MSDE had no value and another source had a value, in which case the source that contained a value was used).

Dr. Hunter-Cevera noted that there will be questions about the comparisons between the outcomes for charter school students versus public school or private school students. Mr. Goldstein noted that conducting comparisons is a planned next step, but currently the data loaded into the system does not allow for meaningful comparisons.

Dr. Kirwan asked whether the Board needed to take any action on the Data Reporting Standards. Mr. Goldstein responded that Board action was not necessary. The goal was simply to provide an opportunity for the Board to review the standards and provide input. The standards will continue to be updated and changed as staff works with them.

Dr. Kirwan also asked how the standards were developed and whether staff consulted other state longitudinal data systems. Mr. Goldstein responded that primarily, the standards were developed in close consultation with the research team, noting that these are issues that they deal with when working on data analyses. Dr. Kirwan asked Ms. Elizabeth Dabney, Associate Director of Research and Policy Analysis at the Data Quality Campaign who was in attendance to observe the meeting, whether she had any comments from a national perspective. Ms. Dabney responded that the DQC’s work is focused on policy and not on the technical data quality aspects represented by the Data Reporting Standards. Nonetheless, Ms. Dabney did note that in her review of state longitudinal data system governing bodies, the Maryland Governing Board was the first to take this approach and that doing so is commendable. Dr. Stapleton noted that she assigned her graduate assistants with the task of researching other states to find examples of written data standard policies and found that such no such written standards. Mr. Goldstein noted that there are groups and state affiliations that would be a good resource to share the standards with for review and input.

Old Business Item

There was no old business.

New Business

There was no new business.

Adjournment

Mr. Goldstein offered his thanks to Dr. Kirwan for the leadership and encouragement that has been provided to the MLDS Center throughout its development. Mr. Goldstein noted that it is a tremendous benefit having Dr. Kirwan serving as a champion for the Center before the General Assembly. Dr.

Kirwan stated that the MLDS has been a labor of love and feels that we have moved the ball a long way in the advancement of this important project.

Dr. Kirwan adjourned the meeting 11:40 a.m.

Respectfully submitted,
Ross Goldstein
Executive Director

Approved: April 13, 2015