

By: Hochberg

H.B. No. 3740

A BILL TO BE ENTITLED

AN ACT

relating to a statewide education data management system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 7, Education Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. STATEWIDE EDUCATION DATA MANAGEMENT SYSTEM

Sec. 7.151. JOINT EDUCATION DATA GOVERNANCE BOARD. (a) The commissioner of education and the commissioner of higher education shall jointly appoint an education data governance board that includes representatives of the agency and the Texas Higher Education Coordinating Board and representatives from stakeholder groups, including school districts of various sizes, open-enrollment charter schools, regional education service centers, education research organizations, institutions of higher education, and university systems.

(b) The governance board shall:

(1) develop definitions and standards for data collected or maintained for the statewide education data management system;

(2) develop and recommend to the commissioners policies, processes, and technologies required to develop and enforce data standards;

(3) advise the commissioners and the agencies with regard to the establishment and operation of a student information

1 management system, operational data store, and aggregated data
2 warehouse;

3 (4) recommend procedures for the collection and
4 reporting of data; and

5 (5) recommend policies regarding access to data,
6 including security and privacy consideration in accordance with
7 state and federal requirements.

8 (c) The commissioners may consider the recommendations of
9 the governance board and shall adopt data standards and policies
10 required to enforce data standards. The data standards adopted by
11 the commissioners under this subsection apply to all data collected
12 or maintained under this subchapter.

13 Sec. 7.152. PUBLIC SCHOOL STUDENT INFORMATION MANAGEMENT
14 SYSTEM. (a) The agency shall establish and make available to
15 school districts, open-enrollment charter schools, and other
16 public schools a student information management system. The agency
17 shall design the system to support local operations and state
18 reporting.

19 (b) The agency may also provide best practice guideline
20 information regarding student information management systems to
21 school districts, open-enrollment charter schools, or other public
22 schools that use other student information systems.

23 Sec. 7.153. OPERATIONAL DATA STORE. (a) The agency and the
24 Texas Higher Education Coordinating Board shall jointly establish
25 an operational data store for the maintenance of student, human
26 resource, and financial data created by school districts,
27 open-enrollment charter schools, other public schools,

1 institutions of higher education and university systems.

2 (b) The agency shall extract or otherwise obtain data
3 periodically from public school student information management
4 systems, including the system established under Section 7.152(a),
5 and human resource and financial data from public school data
6 systems and maintain the data in the operational data store.

7 (c) The Texas Higher Education Coordinating Board shall
8 extract or otherwise obtain academic, fiscal and managerial data
9 from institutions of higher education and university systems, and
10 maintain the data in the operational data store.

11 (d) The data in the operational data store is for use by the
12 school districts, open-enrollment charter schools, other public
13 schools, institutions of higher education, and university systems
14 that supplied the data to support their local functions, including
15 reporting and analysis. The agencies may not use the operational
16 data store to perform their own analyses except as provided by this
17 subchapter or by agreement of the educational institution from
18 which the data is derived.

19 (e) The operational data store may also include data from
20 regional education service centers, state assessment vendors, and
21 other state and federal agencies.

22 (f) The agencies may not release student, human resource, or
23 financial data of a school district, open-enrollment charter
24 school, other public school, institutions of higher education, or
25 university systems that are maintained in the operational data
26 store without the consent of the educational institution from which
27 the data is derived.

1 Sec. 7.154. AGGREGATED DATA WAREHOUSE. (a) The agencies
2 shall extract student, human resource, and financial data that are
3 necessary for the performance of agency functions, including
4 reporting and analysis requirements, from the operational data
5 store established under Section 7.153 and maintain the data in an
6 aggregated data warehouse.

7 (b) The agencies shall publish the rules and processes used
8 for the extraction of data from the operational data store for
9 purposes of the aggregated data warehouse.

10 (c) The agencies shall make the data maintained in the
11 aggregated data warehouse available to the educational research
12 centers established under Section 1.005.

13 (d) The agencies shall provide:

14 (1) a summarized format easily understood by the
15 public for reporting financial and academic performance
16 information from the aggregated data warehouse on an Internet
17 website; and

18 (2) the ability for those who access the Internet
19 website to view and download state, district and campus level
20 information from the aggregated data warehouse.

21 Sec. 7.155. GIFTS; GRANTS. The commissioners may solicit
22 and accept gifts and grants, and may accept federal funds, to
23 implement this subchapter.

24 Sec. 7.156. RULES. The commissioners may adopt rules as
25 necessary to implement this subchapter.

26 Sec. 7.157. CONFIDENTIAL INFORMATION. This section does
27 not authorize the disclosure of information that may not be

1 disclosed under the Family Educational Rights and Privacy Act of
2 1974 (20 U.S.C. Section 1232g).

3 Sec. 7.158. REFERENCE TO PEIMS. (a) Beginning September 1,
4 2015, a reference to the Public Education Information Management
5 System (PEIMS) in a state statute or rule is a reference to the
6 statewide data management system provided under this subchapter.

7 (b) Before September 1, 2015, the commissioner may provide
8 by rule that a reference to the Public Education Information
9 Management System (PEIMS) in a state statute or rule is a reference
10 to the statewide data management system provided under this
11 subchapter.

12 (c) This section does not apply to Section 21.357(a).

13 SECTION 2. Section 42.006, Education Code, is amended by
14 adding Subsection (e) to read as follows:

15 (e) This section expires on September 1, 2015. If
16 implementation of Subchapter E, Chapter 7, is completed before that
17 date, the commissioner by rule may waive compliance with this
18 section as unnecessary due to implementation of that subchapter.

19 SECTION 3. Section 7.008, Education Code, is repealed.

20 SECTION 4. The commissioner of education, the Texas
21 Education Agency, the commissioner of higher education, and the
22 Texas Higher Education Coordinating Board shall implement the
23 provisions of Subchapter E, Chapter 7, Education Code, as added by
24 this Act not later than September 1, 2015.

25 SECTION 5. Except as otherwise provided by this Act, this
26 Act takes effect immediately if it receives a vote of two-thirds of
27 all the members elected to each house, as provided by Section 39,

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1 Article III, Texas Constitution. If this Act does not receive the
2 vote necessary for immediate effect, this Act takes effect
3 September 1, 2009, except as otherwise provided by this Act.