

California Cradle-to-Career Workgroup Meeting Summary

July 9, 2020

The California Cradle-to-Career Data System Workgroup scheduled two additional meetings in July 2020 to investigate possible solutions for a managing entity for the state data system. This document provides a summary of the key points that emerged from the first meeting, which focused on establishing the scope of responsibility for the managing entity, developing criteria for evaluating options, and learning more about three potential organizational structures. More information about the meeting, including support materials, a recording of the meeting, and the PowerPoint, are available at <https://cadatasystem.wested.org/meeting-information/workgroup> (click on “Meeting Materials”).

The following workgroup representatives and delegates attended the meeting:

Thomas Vu, Association of Independent California Colleges & Universities; Freshta Rasoli, Bureau for Private Postsecondary Education; Ben Allen, Mary Nicely, and Bruce Yonehiro, California Department of Education; Akhtar Khan, California Department of Social Services; Elaine Scordakis, California Health and Human Services; Martha Friedrich, California School Information Services; Ed Sullivan, California State University, Office of the Chancellor; Patrick Perry, California Student Aid Commission; Barney Gomez, California Community College Chancellor’s Office; Michele Perault, Commission on Teacher Credentialing; Joy Bonaguro, Government Operations Agency; Chris Furgiuele, University of California, Office of the President.

Managing Entity Responsibilities

The facilitator reviewed the scope of managing entity responsibilities that was initially outlined for the June workgroup background paper and updated in the background paper for the July 9 Managing Entity meeting, based on the June workgroup discussion.

The group agreed that direction should be set by the governing board, with the managing entity serving to implement those priorities. Clear roles and responsibilities for both the governing board and the managing entity should be developed and enshrined in formal documentation such as legal agreements or statute. With this level of clarity in place, it would be possible to allow the managing entity latitude in how it implements the direction of the governing board, such as the development of the user interface for the public dashboard.

Specific points of emphasis by workgroup members included:

- Joy Bonaguro, GovOps: The skills required to manage the technical components of matching records and generating data sets are different from the skills needed to scale the operational tools such as college and career planning websites.
- Martha Friedrich, CSIS: There should be clear legal responsibilities outlined for the managing entity such as how it would be held accountable in the case of a data breach and the types of information it needs to provide to the governing board.
- Barney Gomez, CCCCO: There should be a clear process of escalation if issues emerge with the managing entity.
- Chris Furgiuele, UC: The governing board should engage the managing entity in a process of continuous improvement. The managing entity should be responsible for outreach and

communications. Flexibility should be provided to allow the managing entity to enter into legal arrangements with individual partner entities to fulfil data requests.

- Patrick Perry, CSAC: The managing entity should be given the ability to outsource work to a third party. Be aware that outside entities may want to create their own dashboards from the data that will become available.
- Elaine Scordakis, CHHS: As specific responsibilities get determined, it may be helpful to reference guidelines developed under the NIST Big Data Interoperability Framework (NBDIF).
- Ed Sullivan, CSU and Tom Vu, AICCU: The governance structure should clearly articulate roles and purposes to ensure the managing entity stays in harmony with the governing board and there is no mission slip.
- Bruce Yonehiro, CDE: The managing entity act as the agent of the partner entities. Sufficient flexibility should be provided such that the responsibilities of the managing entity could evolve over time, at the direction of the governing board.

Before the workgroup members voted to adopt the draft responsibilities, Magali Kincaid of Public Advocates offered public comment. Referencing a letter that was jointly written by Children Now, Public Advocates, The Education Trust-West, and Young Invincibles (which is posted on the project website), she urged the workgroup to consider two additional criteria: 1) ability to engage the public on an ongoing basis and 2) commitment to present data to elevate equity and serve students and families.

After noting that community engagement could be included under “providing resources, training, and technical assistance,” and clarifying that the managing entity is charged with coordinating rather than leading efforts to improve data quality, the workgroup voted unanimously to adopt the following list:

Managing the technical infrastructure

- overseeing a master data management model to match individual records
- creating a searchable index of partner entity available data
- creating, managing, procuring, securing, and maintaining the infrastructure and tools to support partner entities contributions and to consume/process research requests
- creating data sets that are tailored to specific purposes
- leveraging a role-based technical architecture to allow authorized parties to access specific de-identified, unitary data points

Supporting data requests

- supporting a review process for data requests from third parties

Implementing public tools

- providing information to the public using dashboards, query builders, and research libraries
- scaling existing tools that support college planning and the transfer of student records
- providing resources, training, and technical assistance

Improving data quality

- coordinate efforts to ensure the reliability of data contributed by the partner entities

Managing Entity Criteria

The facilitator outlined a list of possible criteria for the managing entity organizational structure, based on an initial list that was brainstormed at the June workgroup meeting and used to describe options in the background paper for the July 9 meeting.

The group reaffirmed that this list reflected their priorities, as evidenced by an anonymous poll where workgroup members were asked to rank how important each characteristic was on a scale of 1 to 5, with 1 being not important and 5 being very important. The results of that poll showed that the following were most commonly assigned a 5:

- Administrative Flexibility - Allows for contracting, hiring and administrative flexibility
- Durability - Likely to withstand changes in elected leadership and partner entity leadership and staff
- Independence - Does not privilege the concerns of partner entities, collectively, over the needs of the public
- Neutrality - Does not inherently privilege the interests or concerns of any particular partner entity
- Oversight and Accountability - Provides responsiveness to partner entities; is responsive to broader public interest; and is responsible in its use of taxpayer dollars

And the following were most commonly ranked as 4:

- Adaptability - Has the ability to adapt quickly to changing data priorities and structures
- Cost - Structure automatically incurs additional costs or allows cost efficiency

In discussing options, workgroup members made the following observations:

- Chris Furgiuele, UC: It is important that the managing entity operates with transparency, with no appearance of a conflict of interest. If one of the data contributors becomes the managing entity it may compromise the credibility of the state data system.
- Barney Gomez, CCCC: The options listed do not align with a state agency serving as the managing entity, particularly related to hiring and IT-related contracts, unless it was made exempt from state processes.
- Elaine Scordakis, CHHS: State agencies have been successful in securing appropriate IT solutions and experts using required procurement and hiring processes.
- Ed Sullivan, CSU: It will be important to ensure that the managing entity can keep data secure and cannot use the data for its own purposes.
- Bruce Yonehiro, CDE: The state is able to hire capable technology staff. There are significant legal difficulties in not using civil service for hiring.

In addition, two national experts on longitudinal data systems—Gavin Payne from Data Quality Campaign and Baron Rodriguez, who previously provided technical assistance to state systems for the federal government—noted that other states have had significant difficulty in managing procurement processes when systems are subject to state procurement law. Baron Rodriguez also noted that most states have elected to use state agencies to implement their longitudinal data systems.

Managing Entity Organizational Structure Options

Amy Supinger walked the group through three possible organizational models outlined in the background paper, including how well each one aligned with the criteria that had just been affirmed by the workgroup. These models include: 1) a state entity, which could be an agency, department, or program, and could either be a new entity or an existing entity; 2) a nonprofit auxiliary of a state agency; or 3) a joint powers authority (JPA).

The group asked a number of clarifying questions. Two questions about JPAs could not be answered at the time, but were ascertained after the meeting from a brief put out by the California State Legislature (which has been posted to the project website):¹

- Can nonprofits such as AICCU be part of JPAs: yes

“Special legislation allows some nongovernmental organizations to participate in joint powers agreements, even though they aren’t public agencies. For instance, to help nonprofit hospitals keep pace with changes in the health care industry, the Legislature has allowed them to enter joint powers agreements to provide health care services in Contra Costa, Kings, San Diego, and Tulare counties. Another special bill allowed mutual water companies to enter joint powers agreements with public water agencies. And specific tribal governments have special statutory authority to enter joint powers agreements.” (p. 13)

- Can a JPA accept philanthropic funds: yes

“Local agencies form JPAs to pursue grants to fund better services, start new programs, or purchase equipment. Participation in a JPA helps local authorities show the grant givers that they are willing to cooperate on regional problems—as opposed to competing with each other for grant funds for separate projects.” (p. 22)

In addition, the following observations were offered:

- Joy Bonaguro, GovOps: One alternative would be to have a nonprofit auxiliary that is associated with more than one state agency.
- Chris Furguele, UC: The organizational structure should include safeguards that ensure partner entities must contribute data to the system, even as their priorities shift.
- Chris Furguele, UC & Ed Sullivan, CSU: If the managing entity is a state agency, it should not be one of the agencies that is contributing data to the system.
- Ed Sullivan, CSU: The structure should ensure that the partner entities would not be forced to underwrite the data system at the expense of services provided to their students.
- Bruce Yonehiro, CDE: The group should consider setting up a contractual joint venture among partner entities as the structure, similar to what has been implemented for Smarter Balanced. To create a consortium, all partner entities would sign a legal agreement and one of the partners could house the managing entity. Requirements to contribute data and funding for the data system could be implemented through legislation.

¹ California State Legislature Senate Local Government Committee. (2007). Governments working together: A citizen’s guide to Joint Powers Agreements.

An anonymous poll of workgroup members indicated that the most popular option was an existing state agency. However, this poll did not distinguish whether the existing state agency would be a data contributor or a non-contributor.

The workgroup asked that managing entity options be discussed at the Legal Subcommittee meeting on July 15, including the following topics:

- Which type of organization would best meet the desired criteria?
- Could the partner entities be compelled to pay for the state data system from their own budgets?
- If the managing entity is an existing state agency/department/program, what accountability would it have to that agency as opposed to the partner entities?
- Would there be a conflict of interest if a partner entity that provides the data is also the managing entity?