

California Cradle-to-Career Workgroup Meeting Summary

February 25, 2021

The California Cradle-to-Career Data System Workgroup, which is comprised of partner entities named in the authorizing legislation, provides recommendations to the Governor's Office regarding data system development.

This document provides a summary of the key points that emerged from substantive discussion over the course of the February 25, 2021 Workgroup meeting. 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 attended the meeting:

Thomas Vu, Association of Independent California Colleges and Universities; Freshta Rasoli for Leeza Rifredi, Bureau for Private Postsecondary Education; Barney Gomez, California Community College Chancellor's Office; Mary Nicely, Sarah Neville-Morgan, and Cindy Kazanis, California Department of Education; Brenda Bridges Cruz, California Department of Technology; Natasha Nicolai, California Department of Social Services; Jennifer Schwartz for Elaine Skordakis, California Health and Human Services Agency; Amy Fong, California School Information Services; Ed Sullivan, California State University; Patrick Perry, California Student Aid Commission; Michele Perrault, Commission on Teacher Credentialing; Amy Faulkner, Employment Development Department; Joy Bonaguro, GovOps; Jeanne Wolfe, Labor and Workforce Development Agency; Sara Pietrowski, State Board of Education; Chris Furgiele, University of California Office of the President

Cradle-to-Career Data System Trailer Bill Language

Chris Ferguson from the Department of Finance provided an overview of the trailer bill and answered questions from workgroup members as follows:

Patrick Perry, CSAC: Can the language regarding using operational tools to share grade point averages (GPAs) with CSAC be brought into alignment with AB1456, which would eliminate the need for GPAs in financial aid applications?

Please share specific language ideas with WestEd, who is compiling suggested changes. However, there would be no harm in using the operational tools to verify GPAs if needed, particularly if it can minimize workload on both students and educational institutions.

Cindy Kazanis, CDE: How will funds that are earmarked for specific data providers be handled?

Currently the trailer bill language indicates that funds would run through the Government Operations Agency (GovOps) as the managing entity. However, the Department of Finance intends to adjust this language in the May revision to clarify that those dollars would flow directly to the relevant agencies as part of their departmental budgets.

Tom Vu, AICCU: Which entities will get budget support?

The Governor's budget for 2021-22 includes an item for "the hiring of management level data system coordinators at the University of California, California State University, California Student Aid Commission, and California Community Colleges Chancellor's Office."

Chris Furgiuele, UC: Will the data providers be required to use the Interagency Data Exchange Agreement (IDEA) or could they use a memorandum of understanding (MOU) instead?

The trailer bill allows other MOUs as appropriate. Data providers could determine which vehicle is a better fit.

Chris Furgiuele, UC: Could you clarify the intent of the statement that the managing entity can identify opportunities to increase efficiency?

This is an aspirational statement intended to indicate that the managing entity may identify ways to be efficient in how data is integrated into the Cradle-to-Career Data System. However, it does not change the broader role of the managing entity as a neutral party nor remove the power of the governing board to evaluate and determine whether to act on the managing entity's recommendations.

Cindy Kazanis, CDE: Will the Department of Finance be present at the legislative hearings that start next week?

Yes. The Senate Subcommittee on Education is expected to hear the Cradle-to-Career Data System proposal and language on March 1st at 9:00. The Assembly Subcommittee on Education is expected to hear the topic on March 16th at 9:00. More information is available at:

<https://sbud.senate.ca.gov/subcommittee1> and <https://abgt.assembly.ca.gov/sub2hearingagendas>

Governance Update

Cindy Kazanis of CDE described meetings held in January and February to address concerns raised by advisory group members about the governance process. These meetings helped to clarify specific concerns regarding the balance between data providers and community members in governance decisions. The conversations also surfaced two action items:

- Opportunities for dialog should continue throughout the remainder of the planning process to build a strong working relationship between data providers and community members
- The governance procedures should be crafted to ensure that areas of concern for data providers and community members are explicitly addressed. Governance policies designed to ensure voice for community members will be discussed at the May 6 Community Engagement Subcommittee meeting. Those with ideas or effective practices should contact LeAnn Fong-Batkin at WestEd.
- Kathy Booth of WestEd will be interviewing representatives from other states to better understand how they have addressed meaningful community engagement. Please contact her if there are specific questions that should be addressed in these interviews.

Personally Identifiable Information and Data Classification

Kathy Booth of WestEd shared the proposed definition for personally identifiable information (PII) recommended by the Legal and the Technology & Security Subcommittees and clarified how that definition would be enshrined in the data classification protocol.

Jennifer Schwartz of CHHS asked whether it is necessary to include county in the list of PII elements, given that most counties are large enough that individual identities could not be discerned in public displays. Natasha Nicholai of CDSS concurred.

Cindy Kazanis of CDE noted that while overall county populations are large, some grouping of students may be small at the county level, for example foster youth in sparsely-populated counties in the far north.

Natasha Nicholai of CDSS clarified that these issues would be handled by the deidentification protocol, which will require that information be masked when there are small cell sizes.

Ed Sullivan of CSU asked whether assembly and state senate districts should be listed in the PII definition, as they are units that are similar to counties.

Bruce Yonehiro of CDE stated that while county by itself is not PII, when combined with another data point it can become PII. However, with the planned safeguards for aggregation and masking addressed by the two policies, it would be appropriate to remove county from the definition of PII.

The workgroup reviewed the specific language in the PII definition and confirmed that it addressed the challenge of information becoming PII by the combination of multiple data points.

Patrick Perry of CSAC asked if classifying ZIP codes as PII would prevent entities from using data by ZIP code, for example to create geospatial views. Jennifer Schwartz of CHHS noted that ZIP code could still be used, so long as there were enough people to not trigger the deidentification protocol. She also clarified that HIPAA expressly calls out ZIP codes as PII, and so this particular item should stay in the definition.

Next, the group discussed the data classification protocol. Points of clarification included:

- Information would still be provided in a fully identified manner by the partner entities
- Data providers will determine how each of their data points are tagged, which may vary across agencies on the same data point
- The specific method of applying the tags to the data points will be determined once the vendor for the master data management system is selected

VOTE:

Workgroup members voted first to remove the word “county” from the PII definition and then adopted the revised PII definition and data classification protocol unanimously.

[Disclaimer Statement](#)

The workgroup previewed draft disclaimer language and confirmed that the terms and conditions include explicit reference to the fact that data may be revised over time.

Joy Bonaguro of GovOps expressed concern that requiring users to agree to the disclaimer every time they use data system could be disruptive. She asked whether there is a legal requirement to have a pop up, as opposed to a disclaimer page.

Jennifer Schwartz of CHHS replied that she was not aware of case law requiring a pop up. For context, the Legal Subcommittee was primarily concerned with ensuring that users understand the limitations of the data system, as well as mitigating risk for the data providers.

Joy Bonaguro of GovOps wondered if it might be more effective to provide messages about limitations that are tailored to specific data points that a user might be engaging with.

Bruce Yonehiro of CDE explained that having users take an affirmative action on data limitations could protect the managing entity and data providers from lawsuits, and expressed an interest in identifying an approach that would not create unintended roadblocks.

Amy Fong of CSIS suggested that the group start by affirming the language and address implementation at a later point, such as during the user centered design process. Other workgroup members were supportive of this approach.

VOTE:

Workgroup members adopted the disclaimer statement unanimously, with the caveat that its implementation should be addressed through the user centered design process.

Privacy Policy

Kathy Booth of WestEd provided an overview of the policy and noted that it was reviewed by both the Legal and the Technology & Security Subcommittee to ensure that it complies with all federal and state requirements. She also noted that some items cannot be filled in until the vendor is selected. The workgroup had no questions about this document.

VOTE:

Workgroup members adopted the privacy policy unanimously.

Opt-Out Language

After clarifying that student information would be removed from the data set by GovOps as part of the master data management process, the group discussed the potential difficulty of scrubbing data on specific individuals. Natasha Nicholai of CDSS suggested adding language to the statement that sets appropriate expectations, such as indicating that the managing entity will remove the individual's information to the best of its ability. Jennifer Schwartz of CHHS concurred with this idea.

Cindy Kazanis of CDE asked her colleague Bruce Yonehiro whether Education Code addresses opt out requirements. He replied that FERPA requires an opt out option for contexts like a school directory for local educational agencies, but federal statute does not allow students to prevent their information from being reported to the state or to the federal government for accountability purposes. He further clarified that districts implement the opt out policies, as opposed to CDE.

Jennifer Schwartz of CHHS noted that having an opt out policy would help GovOps to respond to the European Union GDPR, which allows international students to request that their data be removed.

The group recommended that the managing entity retain documentation on individuals who ask to be removed, which will include information that is PII.

They also requested that the Legal Subcommittee draft language that sets appropriate expectations, for discussion at the next workgroup meeting. Joy Bonaguro of GovOps and Jennifer Schwartz recommended that the workgroup recommendation should include the caveat and that the opt out language and process will need to be further explored once the master data management solution is selected.