

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The P-20 Longitudinal Education Data System Act
5 is amended by changing Sections 20 and 25 as follows:

6 (105 ILCS 13/20)

7 Sec. 20. Collection and maintenance of data.

8 (a) The State Board is authorized to collect and maintain
9 data from school districts, schools, and early learning
10 programs and disclose this data to the longitudinal data system
11 for the purposes set forth in this Act. The State Board shall
12 collect data from charter schools with more than one campus in
13 a manner that can be disaggregated by campus site. The State
14 Board may also disclose data to the longitudinal data system
15 that the State Board is otherwise authorized by law to collect
16 and maintain.

17 On or before July 1, 2010, the State Board shall establish
18 procedures through which State-recognized, non-public schools
19 may elect to participate in the longitudinal data system by
20 disclosing data to the State Board for one or more of the
21 purposes set forth in this Act.

22 Subject to the availability of funding through
23 appropriations made specifically for the purposes of this Act,

1 the State Board shall establish or contract for the
2 establishment of a technical support and training system to
3 assist school districts, schools, and early learning programs
4 with data submission, use, and analysis.

5 (b) The Community College Board is authorized to collect
6 and maintain data from community college districts and disclose
7 this data to the longitudinal data system for the purposes set
8 forth in this Act. The Community College Board may also
9 disclose data to the longitudinal data system that the
10 Community College Board is otherwise authorized by law to
11 collect and maintain.

12 Subject to the availability of funding through
13 appropriations made specifically for the purposes of this Act,
14 the Community College Board shall establish or contract for the
15 establishment of a technical support and training system to
16 assist community colleges with data submission, use, and
17 analysis.

18 (c) The Board of Higher Education is authorized to collect
19 and maintain data from any public institution of higher
20 learning, other than community colleges, and disclose this data
21 to the longitudinal data system for the purposes set forth in
22 this Act. The Board of Higher Education may also disclose data
23 to the longitudinal data system that the Board of Higher
24 Education is otherwise authorized by law to collect and
25 maintain.

26 Beginning on July 1, 2012, the Board of Higher Education is

1 authorized to collect and maintain data from any non-public
2 institution of higher learning enrolling one or more students
3 receiving Monetary Award Program grants and any non-public
4 institution of higher learning that confers graduate and
5 professional degrees, pursuant to Section 35 of the Higher
6 Education Student Assistance Act, and disclose this data to the
7 longitudinal data system for the purposes set forth in this
8 Act. Prior to July 1, 2012, any non-public institution of
9 higher learning may elect to participate in the longitudinal
10 data system by disclosing data for one or more of the purposes
11 set forth in this Act to the Board of Higher Education or to a
12 consortium that has contracted with the Board of Higher
13 Education pursuant to this subsection (c).

14 The Board of Higher Education may contract with one or more
15 voluntary consortiums of non-public institutions of higher
16 learning established for the purpose of data sharing, research,
17 and analysis. The contract may allow the consortium to collect
18 data from participating institutions on behalf of the Board of
19 Higher Education. The contract may provide for consultation
20 with a representative committee of participating institutions
21 and a representative of one or more organizations representing
22 the participating institutions prior to the use of data from
23 the consortium for a data sharing arrangement entered into with
24 any party other than a State Education Authority pursuant to
25 Section 25 of this Act. The contract may further provide that
26 individual institutions of higher learning shall have the right

1 to opt out of specific uses of their data or portions thereof
2 for reasons specified in the contract. Student-level data
3 submitted by each institution of higher learning participating
4 in a consortium that has contracted with the Board of Higher
5 Education pursuant to this paragraph shall remain the property
6 of that institution. Upon notice to the consortium and the
7 Board of Higher Education, any non-public institution of higher
8 learning shall have the right to remove its data from the
9 consortium if the institution has reasonable cause to believe
10 that there is a threat to the security of its data or its data
11 is used in a manner that violates the terms of the contract
12 between the consortium and the Board of Higher Education. In
13 the event data is removed from a consortium pursuant to the
14 preceding sentence, the data must be returned by the
15 institution to the consortium after the basis for removal has
16 been corrected. The data submitted from the consortium to the
17 Board of Higher Education must be used only for agreed-upon
18 purposes, as stated in the terms of the contract between the
19 consortium and the Board of Higher Education. Non-public
20 institutions of higher learning submitting student-level data
21 to a consortium that has contracted with the Board of Higher
22 Education pursuant to this paragraph shall not be required to
23 submit student-level data to the Board of Higher Education.

24 Subject to the availability of funding through
25 appropriations made specifically for the purposes of this Act,
26 the Board of Higher Education shall establish or contract for

1 the establishment of a technical support and training system to
2 assist institutions of higher learning, other than community
3 colleges, with data submission, use, and analysis. The Board of
4 Higher Education shall seek and may make available grant
5 funding to a consortium including ~~of~~ non-public institutions of
6 higher learning to provide assistance in the development of a
7 data collection system. The Board of Higher Education shall
8 engage in a cooperative planning process with public and
9 non-public institutions of higher learning and statewide
10 higher education associations in connection with all of the
11 activities authorized by this subsection (c).

12 (d) The State Education Authorities shall establish
13 procedures and requirements relating to the submission of data
14 authorized to be collected pursuant to this Section, including
15 requirements for data specifications, quality, security, and
16 timeliness. All early learning programs, schools, school
17 districts, and institutions of higher learning subject to the
18 data collection authority of a State Education Authority
19 pursuant to this Section shall comply with the State Education
20 Authority's procedures and requirements for data submissions.
21 A State Education Authority may require that staff responsible
22 for collecting, validating, and submitting data participate in
23 training and technical assistance offered by this State if data
24 is not submitted in accordance with applicable procedures and
25 requirements.

26 (Source: P.A. 96-107, eff. 7-30-09.)

1 (105 ILCS 13/25)

2 Sec. 25. Data sharing.

3 (a) The State Education Authorities may disclose data from
4 the longitudinal data system collected pursuant to Section 20
5 of this Act only in connection with a data sharing arrangement
6 meeting the requirements of this Section.

7 (b) Any State agency, board, authority, or commission may
8 enter into a data sharing arrangement with one or more of the
9 State Education Authorities to share data to support the
10 research and evaluation activities authorized by this Act.
11 State Education Authorities may also enter into data sharing
12 arrangements with other governmental entities, institutions of
13 higher learning, and research organizations that support the
14 research and evaluation activities authorized by this Act.

15 (c) Any data sharing arrangement entered into pursuant to
16 this Section must:

17 (1) be permissible under and undertaken in accordance
18 with privacy protection laws;

19 (2) be approved by the following persons:

20 (A) the State Superintendent of Education or his or
21 her designee for the use of early learning, public
22 school, and non-public school student data;

23 (B) the chief executive officer of the Community
24 College Board or his or her designee for the use of
25 community college student data; and

1 (C) the executive director of the Board of Higher
2 Education or his or her designee for the use of student
3 data from an institution of higher learning, other than
4 a community college;

5 (3) not permit the personal identification of any
6 person by individuals other than authorized
7 representatives of the recipient entity that have
8 legitimate interests in the information;

9 (4) ensure the destruction or return of the data when
10 no longer needed for the authorized purposes under the data
11 sharing arrangement; and

12 (5) be performed pursuant to a written agreement with
13 the recipient entity that does the following:

14 (A) specifies the purpose, scope, and duration of
15 the data sharing arrangement;

16 (B) requires the recipient of the data to use
17 personally identifiable information from education
18 records to meet only the purpose or purposes of the
19 data sharing arrangement stated in the written
20 agreement;

21 (C) describes specific data access, use, and
22 security restrictions that the recipient will
23 undertake; and

24 (D) includes such other terms and provisions as the
25 State Education Authorities deem necessary to carry
26 out the intent and purposes of this Act.

1 (d) Data that has been submitted to the Board by a
2 consortium of non-public colleges and universities is
3 prohibited from being included in any interstate data-sharing
4 agreements with other states unless consortium participants
5 agree to allow interstate data sharing.

6 Any non-public college may prohibit its data from being
7 shared with any other state.

8 Any non-public college may prohibit its data from being
9 included in any interstate data-sharing agreement.

10 (Source: P.A. 96-107, eff. 7-30-09.)

11 Section 99. Effective date. This Act takes effect July 1,
12 2010.