



Higher Education Committee

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09600HB6092ham001

LRB096 20792 MJR 38215 a

1 AMENDMENT TO HOUSE BILL 6092

2 AMENDMENT NO. _____. Amend House Bill 6092 by replacing
3 everything after the enacting clause with the following:

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.

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

6 Subject to the availability of funding through
7 appropriations made specifically for the purposes of this Act,
8 the State Board shall establish or contract for the
9 establishment of a technical support and training system to
10 assist school districts, schools, and early learning programs
11 with data submission, use, and analysis.

12 (b) The Community College Board is authorized to collect
13 and maintain data from community college districts and disclose
14 this data to the longitudinal data system for the purposes set
15 forth in this Act. The Community College Board may also
16 disclose data to the longitudinal data system that the
17 Community College Board is otherwise authorized by law to
18 collect and maintain.

19 Subject to the availability of funding through
20 appropriations made specifically for the purposes of this Act,
21 the Community College Board shall establish or contract for the
22 establishment of a technical support and training system to
23 assist community colleges with data submission, use, and
24 analysis.

25 (c) The Board of Higher Education is authorized to collect
26 and maintain data from any public institution of higher

1 learning, other than community colleges, and disclose this data
2 to the longitudinal data system for the purposes set forth in
3 this Act. The Board of Higher Education may also disclose data
4 to the longitudinal data system that the Board of Higher
5 Education is otherwise authorized by law to collect and
6 maintain.

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

21 The Board of Higher Education may contract with one or more
22 voluntary consortiums of non-public institutions of higher
23 learning established for the purpose of data sharing, research,
24 and analysis. The contract may allow the consortium to collect
25 data from participating institutions on behalf of the Board of
26 Higher Education. The contract may provide for consultation

1 with a representative committee of participating institutions
2 and a representative of one or more organizations representing
3 the participating institutions prior to the use of data from
4 the consortium for a data sharing arrangement entered into with
5 any party other than a State Education Authority pursuant to
6 Section 25 of this Act. The contract may further provide that
7 individual institutions of higher learning shall have the right
8 to opt out of specific uses of their data or portions thereof
9 for reasons specified in the contract. Student-level data
10 submitted by each institution of higher learning participating
11 in a consortium that has contracted with the Board of Higher
12 Education pursuant to this paragraph shall remain the property
13 of that institution. Upon notice to the consortium and the
14 Board of Higher Education, any non-public institution of higher
15 learning shall have the right to remove its data from the
16 consortium if the institution has reasonable cause to believe
17 that there is a threat to the security of its data or its data
18 is used in a manner that violates the terms of the contract
19 between the consortium and the Board of Higher Education. In
20 the event data is removed from a consortium pursuant to the
21 preceding sentence, the data must be returned by the
22 institution to the consortium after the basis for removal has
23 been corrected. The data submitted from the consortium to the
24 Board of Higher Education must be used only for agreed-upon
25 purposes, as stated in the terms of the contract between the
26 consortium and the Board of Higher Education. Non-public

1 institutions of higher learning submitting student-level data
2 to a consortium that has contracted with the Board of Higher
3 Education pursuant to this paragraph shall not be required to
4 submit student-level data to the Board of Higher Education.

5 Subject to the availability of funding through
6 appropriations made specifically for the purposes of this Act,
7 the Board of Higher Education shall establish or contract for
8 the establishment of a technical support and training system to
9 assist institutions of higher learning, other than community
10 colleges, with data submission, use, and analysis. The Board of
11 Higher Education shall seek and may make available grant
12 funding to a consortium of non-public institutions including ~~of~~
13 higher learning to provide assistance in the development of a
14 data collection system. The Board of Higher Education shall
15 engage in a cooperative planning process with public and
16 non-public institutions of higher learning and statewide
17 higher education associations in connection with all of the
18 activities authorized by this subsection (c).

19 (d) The State Education Authorities shall establish
20 procedures and requirements relating to the submission of data
21 authorized to be collected pursuant to this Section, including
22 requirements for data specifications, quality, security, and
23 timeliness. All early learning programs, schools, school
24 districts, and institutions of higher learning subject to the
25 data collection authority of a State Education Authority
26 pursuant to this Section shall comply with the State Education

1 Authority's procedures and requirements for data submissions.
2 A State Education Authority may require that staff responsible
3 for collecting, validating, and submitting data participate in
4 training and technical assistance offered by this State if data
5 is not submitted in accordance with applicable procedures and
6 requirements.

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

8 (105 ILCS 13/25)

9 Sec. 25. Data sharing.

10 (a) The State Education Authorities may disclose data from
11 the longitudinal data system collected pursuant to Section 20
12 of this Act only in connection with a data sharing arrangement
13 meeting the requirements of this Section.

14 (b) Any State agency, board, authority, or commission may
15 enter into a data sharing arrangement with one or more of the
16 State Education Authorities to share data to support the
17 research and evaluation activities authorized by this Act.
18 State Education Authorities may also enter into data sharing
19 arrangements with other governmental entities, institutions of
20 higher learning, and research organizations that support the
21 research and evaluation activities authorized by this Act.

22 (c) Any data sharing arrangement entered into pursuant to
23 this Section must:

24 (1) be permissible under and undertaken in accordance
25 with privacy protection laws;

1 (2) be approved by the following persons:

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

5 (B) the chief executive officer of the Community
6 College Board or his or her designee for the use of
7 community college student data; and

8 (C) the executive director of the Board of Higher
9 Education or his or her designee for the use of student
10 data from an institution of higher learning, other than
11 a community college;

12 (3) not permit the personal identification of any
13 person by individuals other than authorized
14 representatives of the recipient entity that have
15 legitimate interests in the information;

16 (4) ensure the destruction or return of the data when
17 no longer needed for the authorized purposes under the data
18 sharing arrangement; and

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

21 (A) specifies the purpose, scope, and duration of
22 the data sharing arrangement;

23 (B) requires the recipient of the data to use
24 personally identifiable information from education
25 records to meet only the purpose or purposes of the
26 data sharing arrangement stated in the written

1 agreement;

2 (C) describes specific data access, use, and
3 security restrictions that the recipient will
4 undertake; and

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

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

13 Any non-public, non-profit college may prohibit its data
14 from being shared with any other state.

15 Any non-public, non-profit college may prohibit its data
16 from being included in any interstate data-sharing agreement.

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

18 Section 99. Effective date. This Act takes effect July 1,
19 2010.".