

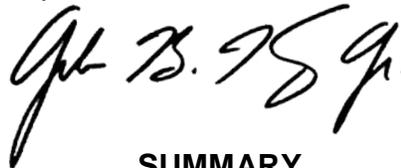


THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

TO: The Honorable the Members of the Board of Regents
FROM: Ken Slentz 
SUBJECT: Education Data Portal Update

DATE: April 11, 2013

AUTHORIZATION(S):


SUMMARY

Issue for Discussion

The Department is engaged in a major expansion of the P-12 data system. The following is an update on the status of the Education Data Portal (EDP), which will provide educators, students, and their families with secure access to education data and timely access to EngageNY.org Common Core instructional resources.

Reason(s) for Consideration

For information.

Proposed Handling

This issue will come before the full board for discussion at the April 2013 meeting.

Background Information

Deployment of the EDP is a requirement of New York's Race to the Top (RTTT) award and will help increase the availability of educational technology tools and resources that support Common Core implementation and increased student performance. For greater detail, see the attached field memo (posted at <http://usny.nysed.gov/rttt/data/edp.html>).

New York's data system has been implemented for close to ten years through in-house expertise and agreements with third-party contractors, actual data holders (including Regional Information Centers – RICs – that contract with school districts to help manage their data needs), and with SUNY and CUNY for postsecondary education information. The EDP will improve and streamline the existing data infrastructure. It will also expand access to these data and increase their usefulness by providing educators, students, and students' families with timely access to data and educational content while still ensuring data security and privacy.

Data Security and Privacy

The Education Data Portal (EDP) will allow access to a wide variety of educational tools and content that will assist teachers in providing high quality instruction to students, and permit teachers to share best practices and resources with other educators in New York. All data are secure at all times and they can only be accessed by educators, students, and parents/guardians and third parties authorized by the State or districts consistent with contracts and security provisions. The use of third-party contractors to assist state and local educational agencies with data needs has long been recognized as permissible under State and federal data security and privacy requirements, including the Family Education Rights and Privacy Act (FERPA). Student data may be accessed by these third parties only to the extent necessary to meet the requirements of their contract. Data will never be provided to non-authorized parties and will never be sold or used for any other purpose. Data must be deleted and destroyed once they are no longer needed to provide contracted services.

Increasing Options, Lowering Costs, and Protecting Privacy

Currently, most of the State's schools and districts contract directly or indirectly with for-profit third party vendors and/or local Boards of Cooperative Educational Services (BOCES) and Regional Information Centers (RICs) when procuring and providing educational technology and information services, including student information systems that maintain and schedule course enrollments, special education service management systems, school lunch and transportation systems, online learning systems, professional development systems, curriculum planning and content tools, and local formative and interim assessment systems. However, these contracts often provide fewer options, higher costs, and lack of standardization in security protocols because of the challenges associated with making diverse vendor tools work in a local context.

The EDP seeks to improve upon this existing model by (1) investing in New York's existing statewide services (security and data management) in coordination with BOCES and RICs; (2) leveraging multi-state shared and standard services provided by the non-profit organization inBloom (data storage, access, and exchange; content access; identity management.); and (3) providing an initial set of data tools to schools and districts while the RTTT funds are available.

In short, the EDP is designed to help address existing school district challenges and increase options for educators, students, and their families at a lower cost, while protecting data security and privacy through statewide security protocols.

inBloom

New York and eight other states (Colorado, Delaware, Georgia, Kentucky, Illinois, Louisiana, Massachusetts, and North Carolina) have entered into legal agreements with the non-profit organization inBloom Inc. to provide many of the services underlying the EDP. inBloom (formerly the Shared Learning Collaborative) was founded with support from the Council of Chief State School Officers (CCSSO) and with initial funding from the non-profit Bill & Melinda Gates Foundation and the Carnegie Corporation of New York. Its mission is to enable participating states and districts to increase their educational technology options, lower costs, and protect data security and privacy by investing in shared standards, resources, and services.

Consistent with FERPA, other federal standards, and the [legal agreement](#) between NYSED and inBloom – data stored through inBloom are never combined across states. In other words, inBloom does not and will not create or maintain a national student database. No third party may access student data stored at inBloom for any purpose unless specifically authorized by a school district or the State consistent with FERPA. Even if so authorized, student data may be accessed by third parties only to the extent necessary to meet the requirements of their contract. Data will never be provided to non-authorized parties and will never be sold or used for any other purpose. Data must be deleted and destroyed once they are no longer needed to provide contracted services.

EDP Data Availability

The data supplied by NYSED to the EDP include student demographic information; parent contact information (necessary for data security and authorization purposes); student enrollment; program participation; dates of absences, out-of-school suspensions, and course outcomes (necessary for early warning determinations); and State assessment scores. NYSED has collected these types of data for approximately ten years in order to meet its State and federal compliance and program evaluation mandates, including public reporting of school report cards, school and district accountability determinations, cohort graduation rates, and college- and career-readiness determinations. **NYSED does not and will not collect social security numbers.**

In order to obtain maximum value from EDP services, NYSED encourages school districts to consider providing additional data to the EDP to meet specific district needs or goals, including additional local achievement data that are useful to educators, students, and their families to help monitor student progress on attaining Common Core knowledge and skills. School districts will retain ownership and control of all data provided by them to the EDP, and these data will be incorporated into the EDP

dashboards authorized by the district. Although school districts have annual privacy notification requirements under FERPA, NYSED is not aware of additional disclosure, notification, or opt out requirements for districts supplying data for tools that directly support instruction and program improvement like those currently provided in school districts and those provided in the EDP.

EDP at Launch and Beyond

Below is a summary of what educators, students, and parents/guardians will be able to do after the launch of the EDP (between fall 2013 and spring 2014). Once participating districts have selected the data dashboard tool that best meets their needs, the Portal will continue to add features and capabilities to better serve educators, students, and their families.

Educators will be able to:

- a) Access multiple instructional tools and data sources with one login;
- b) View student data in a secure environment, including:
 - a. Class rosters;
 - b. Student biographical, enrollment and performance history,
 - i. Student grade point average (GPA) and accumulated credits,
 - ii. Student disciplinary history, and
 - iii. Student attendance records, including tardiness;
 - c. Student State and local achievement scores, including scores earned in prior enrolled districts;
 - d. Early warning indicator flags based on attendance, disciplinary information, and course grades;
 - e. Graphical display of student and classroom mastery of Common Core standards (not all EDP vendor options will support this functionality);
 - f. Recommendations for relevant curriculum or other instructional content and resources (not all EDP vendor options will support this functionality); and
- c) Without leaving the single sign-on system, educators will be able to:
 - a. Find resources aligned to the Common Core on EngageNY.org that are tailored to individual student learning needs, and
 - b. Create public or private communities within EDP for collaborating and sharing resources.

Students and parents/guardians will be able to:

- a) Access multiple educational tools and data sources with one login;
- b) View student data in a secure environment, including:
 - a. Student biographical, enrollment and performance history,

- i. Student grade point average (GPA) and accumulated credits,
 - ii. Student disciplinary history, and
 - iii. Student attendance records, including tardiness;
 - b. Student State and local achievement scores, including scores earned in prior enrolled districts;
- c) Share student data with public higher education institutions (SUNY/CUNY); and
- d) Without leaving the single sign-on system, students and parents/guardians will be able to:
 - a. Find Common Core resources on [EngageNY.org](https://www.engageny.org).

As development of the Portal continues during and after its initial launch, the EDP will include many features typically unavailable in local systems:

- Single sign-on access (same log-in name and password) to all EDP authorized tools;
- Three different options for a State-provided data dashboard to best meet local needs;
- Capacity for districts to supplement basic data in the system with local classroom or achievement data;
- Integration into the EDP of tools already provided by schools and districts, including school report cards, electronic transcripts, college-readiness progress monitoring, systems to support online and blended learning models, and formative assessment systems that support classroom instruction and provide teachers with information about where students are in their learning plans;
- Secure access to all of a student's educational records, including data reported by prior enrolled districts;
- Comparisons of local data to statewide aggregates; and
- Translation guides for several languages other than English for State-provided dashboards.

Appendix – Field Memo

March 2013

TO: BOCES District Superintendents
Superintendents of Public Schools
Principals of Charter and Other Public Schools

FROM: Ken Wagner

SUBJECT: Education Data Portal and Common Core Implementation

This document describes the New York State Education Department's (NYSED) Education Data Portal (EDP), the advantages of deploying the EDP to support improved instruction, student learning, and college- and career-readiness for all students, and the process and timeline for Portal development. Please share this information, as appropriate, with the educators, students, and families in your school community.

In order to support the transition to the Common Core State Standards, the EDP will:

- Provide New York's students, their families, and educators with student data to support improved instruction and student learning outcomes (see below for additional details);
- Make curriculum and instructional resources available to New York's educators to support improved instruction, professional development, and evaluate the effectiveness of instructional initiatives;
- Make curriculum and instructional resources available to students and their families to support improved learning outcomes;
- Create sustainable and open technology that promotes innovation, flexibility, and choice, enabling schools, districts, and regional organizations to develop or procure additional applications or new functionality more rapidly and at reduced cost;
- Create a secure environment with stringent data security and privacy protections under guidelines consistent with the Family Education Rights and Privacy Act (FERPA); and
- Remove barriers to innovation by leveraging emerging technical interoperability standards for education applications.

Components of the Education Data Portal

New York's Race to the Top (RTTT) award requires NYSED to provide a **single sign-on portal** that allows authorized educators, students (grades 6 through 12), and their families (all grade levels) to log in and view student educational data through **data dashboards** – or online tools that display student demographic, enrollment, program

participation, and achievement scores. Dashboards will provide educators, students, and their families with access to a common set of information to help foster conversations around student progress and individual learning plans. Students or parents/guardians can authorize the **electronic transfer of transcript information** to New York's public universities (SUNY and CUNY) upon application to these higher education programs. Additional features available for district use include:

- Early warning indicators based on attendance, disciplinary information, and course grades;
- Graphical display of student and classroom mastery of Common Core standards;
- Recommendations for relevant curriculum or other instructional content and resources.

EDP users will be able to access instructional and learning resources on the EngageNY.org website, including a wide range of State-provided and community-generated videos, curriculum maps, modules, and lessons that will be “tagged” to the appropriate Common Core learning standards, grade level, and subject. The EDP will enable educators to search for the most relevant, trusted, and highly reviewed resources. Educators will be able to create **online professional learning communities** – or secure online spaces suitable for sharing Common Core and other learning resources and collaborating with colleagues across the State, region, district, or school. Districts, schools, and teachers can create private communities that are accessible only to selected and invited EDP participants.

Although many districts have access to educator, student, and parent portals through local student information systems, these EDP tools will be available to all districts at no cost during the 2013-14 and 2014-15¹ school years. The EDP will also include additional features typically unavailable in local systems:

- Single sign-on access (same log-in name and password) to all EDP authorized tools;
- Ability to select from three State-provided dashboard tools to best meet local needs;
- The future capacity for districts to supplement basic data in the system with rich local classroom or achievement data;
- The future ability to integrate tools already provided by schools and districts, including school report cards, electronic transcripts, and formative assessment systems that allow for progress monitoring on student learning plans;
- Secure access to all of a student's educational records, including data reported by prior enrolled districts;
- Comparisons of local data to statewide aggregates; and

¹ Pending approval of a no-cost extension of New York's RTTT award.

- Translation guides for several languages other than English for State-provided dashboards.

Increasing Options, Lowering Costs, and Protecting Privacy

Currently, most districts and schools, consistent with FERPA, contract with third-parties and other vendors in order to provide services that meet their local instructional and management needs. These services include student information systems that maintain and schedule course enrollments, special education service management systems, school lunch and transportation systems, online learning systems, professional development systems, curriculum planning and content tools, and local formative and interim assessment systems. The EDP will help address four challenges that occur when districts contract with these third-parties:

- (1) Costs are higher than they should be. When districts contract for educational technology services, they are paying for two things: the cost of the vendor's product and the overhead cost to "integrate" or ensure that the vendor's out-of-the-box product works with local data systems and local user accounts.

These costs will be reduced because EDP-compatible tools must be built to emerging technology standards that have been adopted by New York and other states. Tools built to these standards will work "out of the box," reducing the cost of providing access to local users and integrating these products with local data and instructional content.

- (2) There is reduced competition. Because it costs money and effort to switch from one educational technology tool to another, districts tend to stay with the products they currently have, not necessarily because they are the best products available at the lowest cost, but because it is too costly and time-consuming to switch. This lack of flexibility drives up costs, slows improvements, and reduces options.

Because it will be easier to deploy products to the EDP and easier to switch away from products that don't work as desired or cost too much, there will be more competition to provide the best value at the lowest price.

- (3) There are no standard protocols to ensure data security and privacy. Currently, each of New York's 693 school districts bears all of the legal and technical burdens for ensuring that vendors abide by the data security and privacy standards consistent with FERPA and properly authorize user accounts so only the right people view the right data. Authorization processes are typically designed and maintained by the same vendors providing the services, which increases the number of logins used to access information and increases the potential for data breach.

Because user authorization and data access is facilitated in the EDP by statewide standards and protocols, and because the EDP single sign-on portal eliminates the need to store multiple usernames and passwords for each individual service, the EDP will allow local school districts to enhance their data security and privacy protections.

- (4) There are too few options for students and parents. Because it is difficult to provide proper authorization systems that protect data security and privacy, there tend to be very few (if any) educational technology tool options available for students and their families.

By increasing competition, applying pressures to lower costs, and providing statewide protocols for data security and privacy, the EDP will make it easier to provide students and families with tools not currently available that could help support student learning, progress monitoring, and college/career readiness.

In short, the EDP is designed to help address these existing school district challenges and increase options for educators, students, and their families at a lower cost, while protecting data security and privacy through statewide security protocols.

New York's EDP Partners

The EDP is being developed with the support of four RTTT-funded contracts that contain clear requirements for data security and privacy protections consistent with FERPA and other State and federal requirements and standards. Student data may be accessed by these third parties only to the extent necessary to meet the requirements of their contract. Data will never be provided to non-authorized parties and will never be sold or used for any other purpose. Data must be deleted and destroyed once they are no longer needed to provide contracted services.

[Public Consulting Group](#) (PCG) has a contract with NYSED to build the EDP's single sign-on portal, data dashboard selection tool for districts, and content management system, and provide ongoing maintenance services for NYSED for the term of its contract. In addition, PCG will provide help desk support and professional development training for educators. [ConnectEDU](#) (including their subcontractor CaseNex/[Datacation](#)), [eScholar](#), and [NCS Pearson/Schoolnet](#) have separate contracts with NYSED to develop and provide data dashboards for educators, students, and their families. These contracts ensure compliance with NYSED's requirements and data security and privacy standards. Using the license selection tool provided by PCG, school districts will be able to select the dashboard product that best meets their local needs².

School districts may elect (but are not required) to contract individually with their selected dashboard vendor (at additional cost) to provide specialized services or

² Participation in the EDP is a requirement of participation in Race to the Top.

continued services once RTTT funds are no longer available. In order to support this optional continuation of services, NYSED has negotiated two additional years of statewide pricing following the cessation of RTTT funds. This information will be shared with school districts for planning purposes.

In order to ensure that a project of this importance and complexity meets all State and federal requirements, data security and privacy standards, and stays on timeline and on budget, NYSED is required by New York State to retain independent project monitoring and quality assurance services. NYSED has contracted for this purpose with the non-profit organization New York State Technology Enterprise Corporation ([NYSTEC](#)).

Finally, New York and eight other states (Colorado, Delaware, Georgia, Kentucky, Illinois, Louisiana, Massachusetts, and North Carolina) have entered into legal agreements with the non-profit organization [inBloom Inc.](#) to provide many of the underlying services upon which the EDP will rely. inBloom (formerly the Shared Learning Collaborative) was founded with support from the [Council of Chief State School Officers](#) (CCSSO) and with initial funding from the non-profit [Bill & Melinda Gates Foundation](#) and the [Carnegie Corporation of New York](#). Its mission is to enable participating states and districts to increase their educational technology options, lower costs, and protect data security and privacy by investing in shared standards, resources, and services.

The services provided by inBloom are outlined below. All of inBloom's services are based on existing or emerging national standards for data storage, data access, content tagging and search, and data security and privacy. These services are non-proprietary and open source, and all inBloom contractors are work-for-hire with no proprietary interest in their contracted deliverables. [inBloom-compatible providers](#) have pledged to meet these national standards on behalf of school districts that elect to contract for these services.

Consistent with FERPA, the State and school districts retain all ownership and control of the data stored by inBloom to support the EDP. Although data will be stored through shared services – consistent with FERPA, other federal standards, and the [legal agreement](#) between NYSED and inBloom – data are never combined across states. In other words, inBloom does not and will not create or maintain a national student database. No third party may access student data stored at inBloom for any purpose unless specifically authorized by a school district or the State consistent with FERPA. Even if so authorized, student data may be accessed by third parties only to the extent necessary to meet the requirements of their contract. Data will never be provided to non-authorized parties and will never be sold or used for any other purpose. Data must be deleted and destroyed once they are no longer needed to provide contracted services.

inBloom will provide the following services for states and districts:

- Data Storage, Access and Exchange – Data will be stored, accessed, and updated using standard secure (encrypted) formats that enable district-authorized applications to provide educational technology services with significantly fewer data and technology integration costs. These standards will allow school districts, BOCES, regional information centers (RICs), and other district-authorized providers to build and offer additional applications within the EDP system.
- Content Access – Instructional resources will be tagged (including tags for Common Core standard, grade, and subject) and made available to EDP’s custom search engine according to national standards that were designed to provide educators with timely access to the most relevant content.
- Identity Management – inBloom will provide services that ensure third parties are able to comply with New York State’s data security and privacy protocols.

Other than as necessary for inBloom to fulfill its agreement with NYSED to provide specific services requested by NYSED to implement the EDP, inBloom will not use individual student data, nor will it make such data available to third-party vendors, for the purposes of developing or providing instructional tools or other services, unless expressly authorized to do so by an individual school district for that district’s purposes.

Timeline for EDP Release and Selection Process

The following is a high-level timeline for the major EDP milestones and releases. More detailed information will be provided regularly as the project advances.

Target Date	Event
August 2013	<p>A series of statewide and regional demonstrations will be provided so that school districts may collect information to help them decide which one of the three NYSED-provided data dashboards best meets their local needs.</p> <p>Districts will be provided with data dashboard per-student costs for them to consider for optional long-term planning purposes when NYSED RTTT funds are no longer available.</p>
August to September 2013	The EDP license selection tool opens, enabling a school district representative to select and authorize one of the three data dashboard vendors to display student data solely for the purpose of providing educators, students and their families with dashboard services for the 2013-14 school year.

Fall 2013 / Winter 2014	EDP will launch for educators. Help desk and professional development services will begin.
Winter / Spring 2014	EDP will launch for students (grades 6-12) and parents/guardians (all student grade levels).
Summer 2014	The EDP license selection tool opens to select one of the three data dashboard vendors for the 2014-15 school year. The data dashboard vendor selected in 2014-15 does not need to be the same as the data dashboard vendor selected for 2013-14.
Summer 2015	If school districts are satisfied with the value and price of the State-provided data dashboard services, they may elect (but are not required) to continue to purchase these services at statewide negotiated prices for the 2015-16 and 2016-17 school years. Alternatively, school districts may elect to develop or contract for other educational technology tools that meet EDP standards or other tools that operate separate from the EDP.

As described above, this project is intended to support the availability of increased educational technology options for educators, students, and their families at lower costs to school districts, consistent with State and federal data security and privacy standards and protocols. Following an open and competitive bidding and contracting process, NYSED's data dashboard vendors will receive two types of payments (using RTTT funds): (1) a one-time payment for integration services to make their data dashboard product compatible with EDP standards; and (2) payment on a per-student basis based on the number of districts that choose their product each school year.

Consistent with these competitive incentives, designed to ensure that districts have access to high quality products, data dashboard vendors are permitted to reach out to local school districts to help them understand the unique features and value of their data dashboard offering, under two conditions: (1) all vendor outreach is truthful; and (2) all vendor outreach must cease when districts make such a request through the EDP's license selection tool. All requests for cessation of vendor outreach and any vendor violations of these terms will be posted publicly and updated regularly.

Vendors may not use the information made available to them in the course of their contracted work for any other purpose than to provide the contracted services to the State and to districts. For example, it is impermissible for vendors to use student or parent/guardian data for the purpose of selling or marketing services to school districts, parents, or students.

Statewide Longitudinal Data Systems

Historically, the goals of statewide longitudinal data (SLD) systems include improving student academic performance, closing achievement gaps, enabling accountability determinations and reporting, and providing valid and reliable information to inform educational policy and ensure students are prepared for college and careers. The U.S. Congress encouraged the creation of SLD systems beginning with the No Child Left Behind Act of 2001. The 2007 America COMPETES Act authorized grants for establishment of P-16 education data systems so that states could improve academic content standards and assessments and prepare students for success in post-secondary education. The 2008 Higher Education Opportunity Act reaffirmed the expansion of SLD systems to monitor individual student progress over time, including post-secondary education and graduate employment outcomes. In 2009, the American Recovery and Reinvestment Act (ARRA) reinforced Congress's commitment to SLD system implementation, and required states receiving ARRA grants to establish an SLD system that included the elements described in the America COMPETES Act.

New York's SLD system has been implemented for close to ten years through in-house expertise and agreements with third-party contractors, actual data holders (including Regional Information Centers – RICs – that contract with school districts to help manage their data needs), and with SUNY and CUNY for post-secondary education information. More recently, there has been a need to provide timely access to data and educational content directly to educators, students, and students' families to provide greater access to the benefits of an SLD system, while still ensuring data security and privacy.

The Education Data Portal (EDP) will allow access to a wide variety of educational tools and content that will assist teachers in providing high quality instruction to students, and permit teachers to share best practices and resources with other educators in New York. The use of third-party contractors to assist state and local educational agencies with data needs has long been recognized as permissible under FERPA, and NYSED has complied with FERPA's mandates for ensuring privacy and security of data when using third-party contractors.

EDP Data Availability

The data supplied by NYSED to the EDP include student demographic information; parent contact information (necessary for data security and authorization purposes); student enrollment; program participation; dates of absences, out-of-school suspensions, and course outcomes (necessary for early warning determinations); and State assessment scores. NYSED has collected these types of data for approximately ten years in order to meet its State and federal compliance and program evaluation mandates, including public reporting of school report cards, school and district accountability determinations, cohort graduation rates, and college- and career-readiness determinations. **NYSED does not and will not collect social security numbers.**

In order to obtain maximum value from EDP services, NYSED encourages school districts to consider providing additional data to the EDP to meet specific district needs or goals, including additional local achievement data that are useful to educators, students, and their families to help monitor student progress on attaining Common Core knowledge and skills. School districts will retain ownership and control of all data provided by them to the EDP, and these data will be incorporated into the EDP dashboards authorized by the district. Although school districts have annual privacy notification requirements under FERPA, NYSED is not aware of additional disclosure, notification, or opt out requirements for districts supplying data for tools that directly support instruction and program improvement like those currently provided in school districts and those provided in the EDP.

Additional EDP information and Frequently Asked Questions can be found on NYSED's website at <http://usny.nysed.gov/rttt/data/edp.html> and <http://usny.nysed.gov/rttt/data/edp-privacy-parent-faq.html>.

For additional information about inBloom, see these links regarding inBloom's purpose (<https://inbloom.org/our-vision>), privacy commitment (<https://inbloom.org/privacy-commitment>), and Frequently Asked Questions (<https://inbloom.org/faq>).

Thank you for your continued support with this important and challenging work.

C: Regional Information Center Directors
Big 5 Data Coordinators
Regional Information Center SIRS Project Managers
Charter School Network Leaders