

110TH CONGRESS
1ST SESSION

H. R. 3253

To amend the Elementary and Secondary Education Act of 1965 to provide for the use of longitudinal data systems.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2007

Mr. HOLT (for himself and Mrs. MCCARTHY of New York) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to provide for the use of longitudinal data systems.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Measuring and Evalu-
5 ating Trends for Reliability, Integrity, and Continued Suc-
6 cess Act”.

7 **SEC. 2. DATA SYSTEMS AND REQUIREMENTS.**

8 Subpart 1 of part A of title I of the Elementary and
9 Secondary Education Act of 1965 is amended by adding
10 at the end the following:

1 **“SEC. 1120C. DATA SYSTEMS AND REQUIREMENTS.**

2 “(a) IN GENERAL.—A State that receives funds
3 under this part shall, not later than 4 years after the date
4 of the enactment of this section, develop and implement
5 a longitudinal data system, which shall include public
6 charter schools, that meets the requirements of this sec-
7 tion.

8 “(b) ADVISORY COMMITTEE.—

9 “(1) IN GENERAL.—In developing the data sys-
10 tem described in subsection (a), each State that re-
11 ceives funds under this section shall form a com-
12 mittee to advise the State on the development and
13 implementation of such system. Such committee
14 shall be established within 6 months of the date of
15 enactment of this section.

16 “(2) MEMBERSHIP.—Each individual serving on
17 the committee established under paragraph (1) shall
18 be selected by the State and have sufficient experi-
19 ence in and knowledge of the development, imple-
20 mentation, maintenance, and use of such data sys-
21 tems. In establishing the membership of the com-
22 mittee, each State shall ensure that individuals on
23 such committee have the following backgrounds and
24 experience:

25 “(A) Operating unions that represent
26 teachers.

1 “(B) Teaching in public elementary and
2 secondary schools.

3 “(C) Administering programs under this
4 Act.

5 “(D) Operating or representing businesses.

6 “(E) Civil rights.

7 “(F) Academic and research.

8 “(c) ESSENTIAL ELEMENTS.—The data system re-
9 quired by subsection (a) shall include the following ele-
10 ments:

11 “(1) A unique statewide student identifier that
12 remains stable and consistent across time.

13 “(2) Student-level enrollment, demographic,
14 and program participation information, including in-
15 formation on individual students’ membership in the
16 groups described under section 1111(b)(2)(C),
17 school, grade, classroom level, enrollment, and at-
18 tendance.

19 “(3) The ability to match individual students’
20 scores on academic assessments required under this
21 Act from year to year.

22 “(4) Information described in paragraph (2) on
23 students that have not participated in the academic
24 assessments required under section 1111(b)(3) and
25 the reasons such students did not participate.

1 “(5) Student-level data on the entrance and exit
2 of the education system of each student, including
3 first time grade enrollment, grade level retention,
4 verified transfer status, dropout rates, receipt of es-
5 tablished diploma or nonstandard diploma, receipt of
6 a GED, incarceration, and death.

7 “(6) A statewide audit system to ensure the
8 quality, validity, and reliability of data in such sys-
9 tem.

10 “(7) A unique statewide teacher identifier that
11 remains consistent over time and matches all stu-
12 dent records described in this subsection to the ap-
13 propriate teacher.

14 “(8) Student-level transcript information, in-
15 cluding information on courses completed and
16 grades earned.

17 “(9) Ability to link information from preschool
18 through grade 12, including that of students with
19 disabilities, to data systems in higher education, and
20 to gather information on college enrollment, place-
21 ment, persistence, and attainment, and ability to
22 link data systems to data from workforce develop-
23 ment, unemployment insurance, child welfare, juve-
24 nile justice, and military services information sys-
25 tems.

1 “(d) OTHER ELEMENT.—The data system required
2 by subsection (a) may include student-level data on par-
3 ticipation in and performance on college admissions and
4 placement assessments.

5 “(e) REQUIREMENTS.—The data system required by
6 subsection (a) shall be developed and implemented to en-
7 sure the following:

8 “(1) The privacy of student records, consistent
9 with the Family Educational Rights and Privacy Act
10 of 1974 (20 U.S.C. 1232g).

11 “(2) Effective data architecture and storage, in-
12 cluding standard definitions and formatting, and
13 warehousing, including the ability to link student
14 records over time and across databases and to
15 produce standardized or customized reports for use
16 by local educators and policymakers, that—

17 “(A) is based on informational needs at
18 the classroom, school, local educational agency,
19 State, and Federal levels;

20 “(B) includes, at a minimum, all data ele-
21 ments required for reporting under this Act;

22 “(C) allows for longitudinal analysis of stu-
23 dent achievement growth and program evalua-
24 tions; and

1 “(D) supports analyses and research to
2 evaluate the effectiveness of education related
3 programs and initiatives.

4 “(3) Interoperability among software interfaces
5 utilized to input, access, and analyze the data of
6 such system.

7 “(4) Interoperability with the other State and
8 local systems developed and implemented pursuant
9 to this section.

10 “(5) Interoperability with the system linking
11 migratory student records required under part C.

12 “(6) Electronic portability of data and records.

13 “(7) Professional development for those that
14 use and operate such system.

15 “(8) Researcher access to the data in such sys-
16 tem, consistent with the Family Educational Rights
17 and Privacy Act of 1974 (20 U.S.C. 1232g).

18 “(9) The data described in subsection (c)(7)
19 shall not be used in a manner that reduces the
20 rights or remedies of employees under any other
21 Federal, State, or local law or under any collective
22 bargaining agreement or memorandum of under-
23 standing.

24 “(f) PREEXISTING DATA SYSTEMS.—A State that de-
25 veloped and implemented a longitudinal data system prior

1 to the date of the enactment of this section may use that
2 system for the purpose of this section, if the system other-
3 wise meets the requirements of this section.

4 “(g) CERTIFICATION.—Prior to the implementation
5 of the data system required by subsection (a), a State shall
6 submit an independently conducted audit to the Secretary
7 certifying that the data system developed and proposed to
8 be implemented by the State pursuant to this section
9 meets the requirements of this section.

10 “(h) AUTHORIZATION OF APPROPRIATIONS.—For the
11 purposes of meeting the requirements of this section, there
12 are authorized to be appropriated \$150,000,000 for fiscal
13 year 2008 and each of the 3 succeeding fiscal years.

14 “(i) ALLOCATION.—After reserving funds under sub-
15 section (j), from the funds appropriated under subsection
16 (h), each State shall receive an allocation. In making such
17 allocation, the Secretary shall allocate 50 percent of such
18 funds in a manner that provides an equal amount to each
19 State. The remainder of such funds shall be allocated to
20 each State based on each State’s enrollment of students
21 in kindergarten through grade 12, compared to all States.

22 “(j) APPLICATION.—The Secretary shall allot the
23 funds described in subsection (i) after the State submits
24 an application for such funds at such time, in such man-

1 ner, and containing such information, as the Secretary
2 may require.

3 “(k) PENALTIES.—Where any State is found not to
4 have made substantial progress toward implementation of
5 such a system three years after the date of the enactment
6 of this section, the Secretary may withhold up to 25 per-
7 cent of the State’s funds reserved under section 1004.

8 “(l) ALLOWABLE USES OF FUNDS.—After the Sec-
9 retary’s certification of the State’s data system pursuant
10 to subsection (e), the State may use the funds received
11 under this section to—

12 “(1) maintain, operate, and upgrade its data
13 systems;

14 “(2) provide data integrity training at the
15 school and local educational agency levels to address
16 technology maintenance needs at the school and dis-
17 trict levels, privacy policies (including training re-
18 lated to the Family Educational Rights and Privacy
19 Act of 1974), data integrity issues, report planning
20 and processes;

21 “(3) provide professional development to teach-
22 ers, office personnel, and school and district admin-
23 istrators on how to appropriately collect, report, and
24 use data;

1 “(4) develop processes to analyze and dissemi-
2 nate best practices, strategies, and approaches re-
3 garding pedagogical advancement that will leverage
4 the data system to enhance teaching and learning,
5 including creating opportunities for individualized
6 instruction;

7 “(5) align statewide longitudinal data systems
8 with local student information management systems
9 and curriculum management systems, instructional
10 management systems, or learning management sys-
11 tems; or

12 “(6) conduct and publicly report on the findings
13 of data analyses to identify and fill areas in need of
14 improvement in policy and instructional practice.

15 “(m) RESERVATION FOR STATE EDUCATION DATA
16 CENTER.—

17 “(1) IN GENERAL.—From funds appropriated
18 under subsection (g), the Secretary shall reserve 1
19 percent, but no more than \$2,000,000, for the pur-
20 pose of awarding a grant to one or more nonprofit
21 entities to support the operation of a State edu-
22 cation data center.

23 “(2) APPLICATION.—A nonprofit entity that de-
24 sires a grant under this subpart shall submit an ap-
25 plication to the Secretary at such time, in such man-

1 ner, and accompanied by such information as the
2 Secretary may require. The Secretary shall award
3 such grant through a competitive process. Each ap-
4 plication for a grant shall—

5 “(A) provide an assurance that the entity
6 will seek private, non-Federal funds, in addition
7 the funds awarded under this subsection, to
8 support the operation of the State education
9 data center;

10 “(B) include a plan for continued financial
11 support of such center by private, non-Federal
12 funds; and

13 “(C) describe the experience and knowl-
14 edge pertaining to education data system devel-
15 opment, implementation and use that the entity
16 will employ to operate such center.

17 “(3) USES OF FUNDS.—An entity which re-
18 ceives grant funds under this subsection shall use
19 such funds to—

20 “(A) provide technical assistance to the
21 States in the development, implementation and
22 user of State education longitudinal data sys-
23 tems required under this section;

1 “(B) disseminate best practices on the de-
2 velopment, implementation, and use of such
3 systems; and

4 “(C) serve as a central repository for edu-
5 cation and school safety related data required
6 under this Act.

7 “(4) PUBLIC ACCESS.—An entity which receives
8 grant funds under this subsection shall make such
9 data publicly available, consistent with the Family
10 Educational Rights and Privacy Act of 1974 (20
11 U.S.C. 1232g).”.

○