

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 849
PROPOSED COMMITTEE SUBSTITUTE H849-PCS40542-TC-32

Short Title: Restore Longitudinal Data System Board.

(Public)

Sponsors:

Referred to:

April 13, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO RESTORE AUTHORITY OF THE EDUCATIONAL LONGITUDINAL DATA
3 SYSTEM TO A GOVERNANCE BOARD.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 116E-1 reads as rewritten:

6 "**§ 116E-1. Definitions.**

7 (1) ~~"Center" means the Governmental Data Analytics Center as established in~~
8 ~~Part 8 of Article 15 of Chapter 143B of the General Statutes.~~ "**Board**" means
9 the governing board of the North Carolina Longitudinal Data System.

10 (2) "De-identified data" means a data set in which parent and student identity
11 information, including the ~~unique student identifier and~~ student social
12 security number, has been removed.

13"

14 **SECTION 2.** G.S. 116E-3 is reenacted as it existed immediately before its repeal
15 and reads as rewritten:

16 "**§ 116E-3. North Carolina Longitudinal Data System Board.**

17 (a) There is established the North Carolina Longitudinal Data System Board which
18 shall consist of the following ~~18-17~~ members:

19 (1) The Superintendent of Public Instruction, or the Superintendent's designee.

20 (2) The President of The University of North Carolina, or the President's
21 designee.

22 (3) The President of the North Carolina Community College System, or the
23 President's designee.

24 (4) The Secretary of the Department of Health and Human Services, or ~~the~~
25 ~~Secretary's designee.~~ a designee of the Secretary affiliated with the
26 Department's Division of Child Development.

27 (4a) The State Treasurer, or the Treasurer's designee.

28 (5) The Assistant Secretary of the Department of Commerce, Division of
29 Employment Security, or the Assistant Secretary's designee.

30 (6) The Secretary of the Department of Revenue, or the Secretary's designee.

31 (7) The Commissioner of Labor, or the Commissioner's designee.

32 (8) The President of the North Carolina Independent Colleges and Universities,
33 Inc., or the President's designee.

34 (9) The Commissioner of Motor Vehicles, Department of Transportation, or the
35 Commissioner's designee.



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- 1 (10) ~~The State Chief Information Officer.~~Officer, or a designee of the Officer
 2 affiliated with the Government Data Analytics Center.
 3 (11) The State Controller, or the Controller's designee.
 4 (12) ~~Three public~~Two advisory members from the membership of the Senate
 5 appointed by the General Assembly upon the recommendation of the
 6 President Pro Tempore of the Senate. These advisory members shall not be
 7 voting members of the Board.
 8 (13) ~~Three public~~Two advisory members from the membership of the House of
 9 Representatives appointed by the General Assembly upon the
 10 recommendation of the Speaker of the House of Representatives. These
 11 advisory members shall not be voting members of the Board.
 12 (14) One public member appointed by the Governor, to serve at the Governor's
 13 pleasure.

14 (b) Appointed members of the Board shall serve terms of four years. Terms of
 15 appointed members shall begin May 1, 2013, and every four years thereafter. Appointed
 16 members may be reappointed but shall not serve more than two consecutive terms. Vacancies
 17 among appointed members shall be filled by the appointing entity and shall be for the
 18 remainder of the vacant term.

19 (c) ~~The chair of the Board shall be the State Chief Information Officer.~~The Board shall
 20 elect from the appointed ~~members~~members, other than those members of the General
 21 Assembly, a chair and a vice-chair for a term of two years.

22 (d) Members of the Board shall receive such per diem compensation and necessary
 23 travel and subsistence expenses while engaged in the official discharge of the official duties as
 24 is provided by law for members of State boards and commissions.

25 (e) ~~The Board shall hold~~One advisory member shall be jointly designated by the
 26 Speaker of the House of Representatives and President Pro Tempore of the Senate to call an
 27 initial meeting upon appointment of a majority of the appointed members. The chair of the
 28 Board shall be elected at the initial meeting. The Board shall meet at least quarterly, but may
 29 meet more frequently upon the call of the chair."

30 **SECTION 3.** G.S. 116E-4 reads as rewritten:

31 **"§ 116E-4. Powers and duties of the ~~Center~~Board.**

32 (a) The ~~Center Board~~ shall have the following powers and ~~duties with respect to the~~
 33 ~~System:~~duties:

- 34 ...
 35 (4) Before the use of any individual data in the System, the ~~Center Board~~ shall
 36 do the following:
 37 ...
 38 b. Develop and implement policies to comply with FERPA and any
 39 other privacy measures, as required by law or the ~~Center Board~~.
 40 ...
 41 (9) Establish an advisory committee on data quality to advise the ~~Center Board~~
 42 on issues related to data auditing and tracking to ensure data validity.

43 (b) The ~~Center Board~~ shall adopt rules according to Chapter 150B of the General
 44 Statutes as provided in G.S. 116E-6 to implement the provisions of this Article.

45 (c) The ~~Center Board~~ shall report quarterly to the Joint Legislative Education Oversight
 46 Committee, the Joint Legislative Commission on Governmental Operations, and the Joint
 47 Legislative Oversight Committee on Information Technology beginning September 30, 2013.
 48 The report shall include the following:

- 49 ...
 50 (3) Any other recommendations made by the ~~Center Board~~, including the most
 51 effective and efficient configuration for the System."

1 **SECTION 4.** G.S. 116E-6 reads as rewritten:

2 "**§ 116E-6. Data sharing.**

3 (a) Local school administrative units, charter schools, community colleges, constituent
4 institutions of The University of North Carolina, and State agencies shall do all of the
5 following:

6 (1) Comply with the data requirements and implementation schedule for the
7 System as set forth by the ~~Center Board~~.

8 (2) Transfer student data and workforce data to the System in accordance with
9 the data security and safeguarding plan developed by the ~~Center Board~~ under
10 G.S. 116E-5.

11 (b) Private colleges and universities, the North Carolina Independent Colleges and
12 Universities, Inc., and nonpublic schools may transfer student data and workforce data to the
13 System in accordance with the data security and safeguarding plan developed by the Board
14 under G.S. 116E-5."

15 **SECTION 5.** G.S. 143B-1321(a)(31) and G.S. 143B-1322(c)(21) are reenacted as
16 they existed immediately before their repeal.

17 **SECTION 6.** The North Carolina Longitudinal Data System Board shall adopt
18 rules pursuant to G.S. 116E-4 no later than December 1, 2017.

19 **SECTION 7.** This act is effective when it becomes law.