

Sixty-fourth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2326

Introduced by

Senators Poolman, Dever, Schaible

Representatives Nathe, Rohr, Schatz

1 A BILL for an Act to create and enact a new section to chapter 15.1-07 of the North Dakota
2 Century Code, relating to reportable data fields; and to amend and reenact section 15.1-02-18
3 of the North Dakota Century Code, relating to duties of the state longitudinal data system
4 committee.

5 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

6 **SECTION 1. AMENDMENT.** Section 15.1-02-18 of the North Dakota Century Code is
7 amended and reenacted as follows:

8 **15.1-02-18. Statewide longitudinal data system committee - Membership - Powers and**
9 **duties - Report to interim committee - Continuing appropriation.**

- 10 1. The statewide longitudinal data system committee consists of:
 - 11 a. The chancellor of the board of higher education or the chancellor's designee;
 - 12 b. The superintendent of public instruction or superintendent of public instruction's
13 designee;
 - 14 c. The chief information officer or the chief information officer's designee;
 - 15 d. The director of the department of career and technical education or the director's
16 designee;
 - 17 e. The director of job service North Dakota or the director's designee;
 - 18 f. The commissioner of commerce or the commissioner's designee;
 - 19 g. The director of the department of human services or the director's designee;
 - 20 h. The director of the North Dakota educational technology council;
 - 21 i. The director of the North Dakota council of educational leaders or the director's
22 designee;
 - 23 j. The director of the North Dakota workforce development council or the director's
24 designee; and

- 1 k. Two members of the legislative assembly appointed by the chairman of the
2 legislative management.
- 3 2. The governor shall ~~appoint~~designate the chairman of the committee.
- 4 3. The committee may appoint additional ~~committees to~~work groups and task forces to
5 ~~serve the committee~~ in an advisory capacity.
- 6 4. The committee shall manage a statewide longitudinal data system that:
- 7 a. Provides for the dissemination of management information to stakeholders and
8 partners of state education, training, and employment systems; and
- 9 b. Uses data from educational and workforce systems as central sources of
10 statewide longitudinal data.
- 11 5. The committee shall set policy and adopt rules relating to access to and the collection,
12 storage, and sharing of information and the systems necessary to perform those
13 functions, subject to applicable federal and state privacy laws and interagency
14 agreements and restrictions relating to confidential information required to conform to
15 applicable federal and state privacy laws. The committee shall provide operational
16 oversight for information sharing activities and make recommendations for and provide
17 oversight of information sharing budgets.
- 18 6. The committee, in consultation with the information technology department, shall:
- 19 a. Establish the terms and conditions under which a person may be authorized to
20 access data through the statewide longitudinal data system;
- 21 b. Direct that all statewide longitudinal data system administrators implement
22 approved data protection practices to ensure the security of electronic and
23 physical data, provided that the practices include requirements for encryption and
24 staff training;
- 25 c. Provide for biennial privacy and security audits of the statewide longitudinal data
26 system;
- 27 d. Establish protocols, including procedures, for the notification of students and
28 parents, in the event of a data breach involving the statewide longitudinal data
29 system;

- 1 e. Require that data retention and disposition by the statewide longitudinal data
2 system be governed by the same policies as those instituted for the information
3 technology department; and
- 4 f. Require the provision of annual training regarding data protection to any
5 individuals who have access to the statewide longitudinal data system, including
6 school district employees, employees of the North Dakota university system
7 office and institutions under the control of the state board of higher education,
8 and elected or appointed state or local governmental officials.
- 9 7. The committee may authorize studies to benefit and improve workforce training and
10 education.
- 11 ~~6-8.~~ The committee shall provide a report to the information technology committee, interim
12 committee on education issues, and interim committee on economic development ~~on-~~
13 ~~the status of,~~ regarding the statewide longitudinal data system. The report must
14 include recommendations for further development, cost proposals, proposals for
15 legislation, and data sharing governance.
- 16 ~~7-9.~~ The committee may solicit and receive moneys from public and private sources and
17 those funds are appropriated on a continuing basis for the support of the statewide
18 longitudinal data system.

19 **SECTION 2.** A new section to chapter 15.1-07 of the North Dakota Century Code is created
20 and enacted as follows:

21 **Data field - Reportable - List.**

22 Prior to the beginning of each school year, a school district shall publish on its website a list
23 of all data fields that the district will report in PowerSchool or in any other state automated
24 reporting system, during the ensuing school year. Each district shall make the list available in
25 printed form, upon request.