

# HOUSE . . . . . No. 4421

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 26, 2024.

The committee on Education, to whom was referred the petition (accompanied by bill, House, No. 530) of Kate Lipper-Garabedian, Manny Cruz and Vanna Howard relative to establishing an education-to-career data center, reports recommending that the accompanying bill (House, No. 4421) ought to pass.

For the committee,

DENISE C. GARLICK.

**HOUSE . . . . . No. 4421**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act establishing an education-to-career data center.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. The General Laws are hereby amended by inserting after chapter 7D the  
2 following chapter:-

3           Chapter 7E. Education-to-Career Data Center

4           Section 1. Definitions

5           As used in this chapter, the following words shall, unless the context clearly requires  
6 otherwise, have the following meanings:—

7           “Board”, the board of the Massachusetts Education-to-Career Data Center established  
8 pursuant to section 4.

9           “Center”, the Massachusetts Education-to-Career Data Center established pursuant to  
10 section 2.

11          “Data element”, a variable or field in an administrative database or record.

12 “Data provider”, the public agency that provides data elements to the data system.

13 “Data requests in the public interest”, requests for data that enable families, educators,  
14 public agencies, researchers and policymakers to make appropriate choices and investments or  
15 provide appropriate interventions to improve educational and workforce outcomes for all  
16 individuals.

17 “Data system”, the Massachusetts Education-to-Career Data System established pursuant  
18 to section 2.

19 “De-identification”, the removal of an individual’s name, address, employer, date of  
20 birth, social security number, driver’s license number and other personal information from a data  
21 record. Data shall be considered “de-identified” only if satisfying the standard for de-  
22 identification set forth in 45 CFR § 164.514(b)(1) or (2) and 34 CFR § 99.31(b)(1).

23 “Longitudinal data set”, a data set containing information on individuals from various  
24 public and private sources over multiple periods of time.

25 “Research-practice partnerships”, collaborative, long-term relationships between  
26 researchers and practitioners that are designed to increase educational or workforce outcomes.

27 “Secure data enclave”, a secure, remotely accessible environment to aggregate and  
28 analyze personal data, as set forth in M.G.L c. 66A, without transferring the underlying data.

29 “Strategic initiative”, a major initiative to increase educational or workforce outcomes  
30 that receives funding from the commonwealth over multiple years or entails substantial changes  
31 to policy or practice.

32 Section 2. The Massachusetts Education-to-Career Data Center

33 (a) The Massachusetts Education-to-Career Data Center is hereby established within the  
34 Executive Office of Technology Services and Security. The center's purpose is to build and  
35 operate the Massachusetts Education-to-Career Data System pursuant to section 3.

36 (b) The center shall be headed by an executive director who shall report to the secretary  
37 of information technology services and security. In selecting the executive director, the secretary  
38 shall consult with the board. The executive director shall be the chief executive, administrative  
39 and operational officer of the center; shall direct and supervise the administrative affairs and the  
40 general management of the center and shall attend the meetings of the board. The executive  
41 director may appoint and remove such employees deemed necessary to perform the duties of the  
42 center.

43 (c) The center may receive funding for its operations from state appropriations, federal  
44 grants, and any other grants or contributions from public agencies or other entities.

45 (d) The duties of the center shall be to:

46 (1) Oversee and maintain the data system.

47 (2) Develop de-identification processes.

48 (3) Regularly audit and ensure compliance with the Family Education Rights and Privacy  
49 Act, 20 U.S.C. § 1232g, the Federal Privacy Act, 5 U.S.C. § 552a, the Fair Information Practices  
50 Act, M.G.L. c. 66A, the state unemployment insurance statute, M.G.L. c. 151A, § 46, the  
51 security breach statute, M.G.L. c 93H, the workforce development statute, M.G.L c. 23H § 6(b),  
52 and all other state and federal data privacy laws without limitation.

53 (4) Work with public agencies to define statewide education, workforce development,  
54 and employment metrics and ensure the integrity and quality of data collected.

55 (5) Produce standard reports and build and maintain data query tools, reducing  
56 duplication of effort for agency staff and providing the public with one location to access  
57 education and workforce data.

58 (6) Facilitate research requests, ensuring that research complies with all state and federal  
59 law related to individual privacy, including by building and maintaining a secure data enclave.

60 (e) Pursuant to 20 U.S.C. § 1232g, the center shall be considered an authorized  
61 representative of the department of elementary and secondary education, the department of  
62 higher education, and the department of unemployment assistance under applicable state and  
63 federal statutes for purposes of accessing and compiling student record and wage data for  
64 research purposes. Any disclosures of confidential unemployment compensation information to  
65 the center for purposes of populating the data system shall adhere to the requirements of 20  
66 C.F.R. Part 603 and state law concerning the confidentiality of the information.

67 Section 3. Massachusetts Education-to-Career Data System

68 (a) There is hereby established the Massachusetts Education-to-Career Data System for  
69 the purpose of providing reliable and actionable information on education and workforce  
70 outcomes. Information contained in the data system shall be used to:

71 (1) address disparities in educational and workforce outcomes;

72 (2) support student guidance and informed student and family decision-making;

73 (3) foster continuous improvement and accountability for educational and workforce  
74 outcomes; and

75 (4) ensure efficient utilization of public and private resources devoted to furthering  
76 educational and workforce outcomes.

77 (b) The data system shall employ technologies to accomplish the following:

78 (1) enable the ongoing creation, management, and monitoring of longitudinal data sets in  
79 a manner that protects individual privacy;

80 (2) facilitate utilization of longitudinal data sets and reduce the administrative burden on  
81 public agency staff responsible for producing reports and fulfilling data requests in a timely  
82 manner, including by providing a public platform for querying the data and building custom  
83 reports;

84 (3) provide access to actionable data for use by students, families, counselors, educators,  
85 and workforce development providers; and

86 (4) enable academic, nonprofit and governmental research to enhance the development of  
87 policies focused on educational and workforce outcomes.

88 (c) At least once per year, the following public agencies shall provide data to the data  
89 system:

90 (1) department of early education and care;

91 (2) department of elementary and secondary education;

92 (3) department of higher education;

93 (4) department of unemployment assistance; and

94 (5) Any other public agencies that the executive director, subject to the review of the  
95 board, identifies as appropriate for ongoing incorporation into the data system.

96 (d) The executive director may incorporate additional data elements from any public  
97 agency or private entity into the data system.

98 (e) Ownership of data provided to the data system shall be retained by the providing  
99 entity.

100 (f) At all times, the data system shall act in furtherance of the public good and shall be  
101 held accountable thereto.

#### 102 Section 4. Board of the Massachusetts Education-to-Career Data Center

103 (a) The Massachusetts Education-to-Career Data Center shall be governed by a 15-  
104 member board composed of the secretary of information technology services and security or  
105 their designee, who shall serve as chair; the secretary of education or their designee; the secretary  
106 of labor and workforce development or their designee; the secretary of health and human  
107 services or their designee; the commissioner of early education and care or their designee; the  
108 commissioner of elementary and secondary education or their designee; the commissioner of  
109 higher education or their designee; the director of the department of unemployment assistance or  
110 their designee; the undersecretary of housing and community development or their designee;  
111 three members of the public appointed by the speaker of the house; and three members of the  
112 public appointed by the senate president.

113 (b) In appointing members of the public to the board, the speaker and senate president  
114 shall strive to ensure that the governing board represents the racial and ethnic diversity of the  
115 commonwealth and includes persons with experience in data security, quantitative research and  
116 helping students and families consume education data. A member of the public shall serve a term  
117 of no more than three years and shall not serve more than two consecutive terms or more than six  
118 years. For the first appointments of members of the public, to create staggered terms, the speaker  
119 and senate president shall appoint one member of the public to serve a one-year term, one  
120 member of the public to serve a two-year term, and one member of the public to serve a three-  
121 year term.

122 (c) The governing board shall develop and revise, from time to time, a self-governance  
123 process to ensure that it, among other actions, convenes on a regular basis, but no less than  
124 quarterly; and posts and archives video recording of all board meetings on the center's public  
125 website.

126 (d) The governing board shall be responsible for the strategic direction and  
127 implementation of the data system, including, but not limited to:

128 (1) ensuring the data system is serving its intended purpose by providing an annual report  
129 to the Governor and the legislature, including the number of research requests approved and  
130 denied, the number of unique visitors to online data access tools maintained by the center, an  
131 annual budget recommendation for the center, and legislative recommendations to adjust the data  
132 system's mission or operation to improve educational and workforce outcomes;



133 (2) establishing a research agenda that balances strategic initiatives, research priorities for  
134 data providers, legislative requests, research-practice partnerships, and data requests from  
135 outside researchers and the public;

136 (3) adopting best practice policies related to privacy and security, including creating  
137 policies, in accordance with federal and state law and regulation, related to data de-identification  
138 as well as governing the collection and use of personally identifiable information from data  
139 providers, which may include the creation of an “opt out” policy for students and families;

140 (4) adopting and adjusting as necessary a data dictionary, data standards, and security  
141 protocols to ensure interoperability between the data system and other state data systems using  
142 the same source data;

143 (5) expanding the collected data set by approving additional data providers or requesting  
144 additional data points from data providers, consistent with all applicable laws; and

145 (6) creating, and revising from time to time, a data request process for use by researchers  
146 and policymakers, that:

147 (i) maintains compliance with federal and state laws to protect individual privacy,  
148 including by allowing any data provider to exclude its data elements from a request if the data  
149 provider determines that access to the data element conflicts with its statutory requirements to  
150 protect individual privacy; and giving data providers the opportunity to review and approve the  
151 public release of research products derived from their data elements to ensure that the research  
152 products conform with statutory requirements to protect individual privacy; and

153 (ii) facilitates the timely approval of data requests in the public interest, as defined  
154 pursuant to section 1, to generate information that is not otherwise available via public query  
155 tools or published reports; and

156 (iii) provides a clear and publicly accessible record of all data requests approved, denied,  
157 or withdrawn, including by issuing a clear written explanation for the determination when a  
158 request is denied.

#### 159 Section 5. Strategic Initiatives

160 (a) The board may determine that a strategic initiative of the commonwealth merits  
161 enhanced data collection or evaluation, or both.

162 (b) At such time, the executive director shall appoint a special committee with two co-  
163 chairs. One co-chair shall be a member of the board that represents an agency involved in the  
164 strategic initiative or their designee. The second co-chair shall be an academic researcher who is  
165 not principally employed by the commonwealth. The special committee shall include at least five  
166 members, inclusive of the co-chairs. At least three of the members shall have expertise in  
167 statistical methods for program and policy evaluation.

168 (c) Over the life of the strategic initiative, the special committee shall recommend  
169 evaluation methods. To the extent that these methods require additional data elements, the  
170 executive director and board shall direct the agencies to prioritize the integration of these data  
171 elements into the data system.

#### 172 Section 6. Research-Practice Partnerships

173           A municipality or group of municipalities of the commonwealth may create research-  
174 practice partnerships to improve their understanding of education and workforce outcomes at the  
175 local or regional level. The center shall support these efforts by developing policies and  
176 procedures to link local data to the data system, in compliance with all state and federal laws to  
177 protect individual privacy.

178           SECTION 2. This act shall take effect upon its passage.