



**Education Data Advisory Committee (EDAC)
2010-11 Annual Report to the State Board of Education and the
Education Committees of the Senate and House of Representatives**

July 1, 2010 - June 30, 2011

EDAC Summary

The Education Data Advisory Committee (EDAC) is a statewide representative group of school district volunteers which reviews all Colorado Department of Education (CDE) and other state agency PK-12 data collections including grant applications, surveys, plans, reports, assessments, evaluations and automated data exchange systems. EDAC determines whether the benefits derived from a data collection outweigh the administrative burden of producing the data; determines and recommends the most efficient ways of collecting data; determines if recommendations for new data collections are redundant and proposes alternatives; and reviews data collection procedures and recommends improvements. Each EDAC-approved data collection is given a stamp which informs districts and BOCES whether the form is mandatory, required to obtain benefit or voluntary. Collections without an EDAC stamp are not required to be completed.

In 2010-11, EDAC formally met ten times, conducted four emergency reviews (e-mail and phone conferences) and in total reviewed 143 CDE data collections, a 5.1% increase over the 136 collections reviewed in 2009-10. Accomplishments include incorporating other state agencies into EDAC reviews and increasing EDAC awareness. Discussed in a special section at the end of this report is EDAC support to protect the privacy of educator data records.

Accomplishments

- Reviewed 143 CDE data collections, up from 136 in 2009-10. 32 collections were closed or one time only collections from the previous year and 39 collections were new.
- Incorporated three other state agencies into data collection reviews
- Provided financial, redundancy and necessity reaction prior to statutory or rule adoption
- Continued an intensive schedule to meet the April 1st advance notice requirement of 22-2-306(3)(a), C.R.S.. Over one quarter (28%) or 40 collections were reviewed in March.
- Increased awareness of and communication about EDAC external to CDE

Future Focuses

- Solicit subject matter expertise to assist in monitoring data and the associated tasks related to S.B. 10-191 concerning educator effectiveness
- Support the state strategy of streamlining data sharing from school district to state, reducing redundancy by shifting the collection focus from program-based to person-centric, linking K-12 information with early childhood and post-secondary, and increasing dissemination speed to districts to enhance educator effectiveness and improve academic achievement
- Keep abreast of how new assessments, the statewide IEP, differentiated graduation, and educator effectiveness, including the teacher-student data link impact data requirements
- Broaden EDAC focus on justification for and fiscal impacts of data collection

Forms Review

Form Compliance. EDAC spends the bulk of its efforts on forms review. EDAC has two levels of review. A full review is for any collection which has not been previously reviewed or to which programmatic or substantial changes are being made since its last review. An update approval is for any collection which has previously been reviewed and only has date and other extremely minor changes. A collection may only have a maximum of two consecutive update approvals before it must return to EDAC for a full review. Stamps are attached to each data collection declaring whether a form is mandatory, required to obtain benefit or voluntary. The definitions of these labels are:

- **Mandatory.** This form must be completed by all appropriate agencies. Funding may not be attached to this collection but it is statutorily required. However, funding that an agency would otherwise receive may be withheld if this form is not completed.
- **Required to Obtain Benefit.** Funding or services are attached to the completion of this form. An agency may choose not to complete the form but the related funding/services will not be available.
- **Voluntary.** The collection is not a direct requirement of state or federal legislation but may yield useful data with sufficient and representative sample size.

One-half (49 percent) of collections which EDAC reviewed in 2010-11 are labeled 'Required to Obtain Benefit'. One-third (33 percent) are 'Mandatory' and even fewer (18 percent) are 'Voluntary'. If districts or BOCES are interested in securing particular funds or services, then some amount of data collection is associated with the benefits derived. In exceedingly rare circumstances, the EDAC chairman may issue a small collections stamp to an extremely small data collection without EDAC review. Thirty-two collections were discontinued from the prior year.

Form Compliance	Mandatory	Required to Obtain Benefit	Voluntary	Total
• Full Review	22	42	11	75
• Update Approvals	24	28	15	67
Total Reviews	46	70	26	142
• Review Approval Withheld/Revoked	1	0	0	1
• No Approval Required				4
• Informational Briefings				17
• Small Collection				5
• Closed Collections	4	20	8	32

Review Outcomes. EDAC is tasked with making recommendations to improve the efficiency and effectiveness of data collection instruments. Very few collections move through the EDAC full review process without some suggestions for improvement. Most are approved with some minor adjustments, others with more detailed issues are invited to resubmit the collection before a stamp is issued, and in extremely rare circumstances, a data collection is not approved for various reasons. These may include that the collection was distributed prior to EDAC review, the requested data is already available, poor survey design or the collection is withdrawn for later EDAC reconsideration. EDAC also encourages the automation of data collection.

	Approved No Changes	Approved With Changes	Not Approved Resubmit	Not Approved (No stamp issued)	Total
Review Outcomes	84	47	11	1	143

Review Preparation. EDAC posts its meeting schedule well in advance of the upcoming school year so that CDE staff can schedule an EDAC review as part of their regular routine within their data collections. EDAC must be given the review materials in a timely manner so that members have sufficient time to prepare judicious input to share with the data collector. EDAC acknowledges that in extremely rare circumstances, department data requestors may need to submit reviews during periods for which no regular meetings are scheduled. Emergency conference calls or electronic mail reviews are available because a change in state statute or some unforeseen circumstance occurs which prevents the collection from being presented at a regularly scheduled EDAC meeting. EDAC conducted six emergency reviews on four separate occasions in 2010-11, up from five emergency reviews on four separate occasions in 2009-10 and is committed to continue to keep these to a minimum in the upcoming school year.

	Meeting Materials Submitted On-Time	Meeting Materials Submitted After Deadline	Emergency Reviews	Not Reviewed	Total
Review Preparation	123	13	6	1	143

Type of Collection. The majority of EDAC reviews centered on existing CDE data collections. One-quarter (27 percent) of the data collections EDAC reviewed in 2010-11 were newly required through legislation or rule. The number of new collections increased 30% to 39 over the 30 newly required collections in 2009-10. EDAC is continuing to make every effort to identify and bring to the table those CDE data requestors who are not yet familiar with the EDAC review process. There were no delayed reviews in 2010-11, down from two in 2009-10.

	New Collections	Existing Collections On-Schedule Reviews	Existing Collections First Time or Delayed Reviews	Total Reviews
Type of Collection	39	104	0	143

2011 Legislative Follow-up

There were three legislative citations EDAC recommended for possible elimination in its' *Education Data Advisory Committee 2009-10 Annual Report*. House Bill 11-1277 primarily sponsored by Tom Massey eliminated the stability rate from performance report requirements by repealing 22-11-503(3)(d)(III) C.R.S. The two unaddressed recommendations regarding private schools and a formalized EDAC legislative review process are carried forward within this current annual report.

2012 Legislative Recommendations

- **Eliminate requirement for 6th graders to register with College in Colorado (CIC) and for school districts to maintain interactivity between CIC and their data bases and student record systems (22-32-109 (nn) C.R.S.).** While districts do not object to assisting students and their legal guardians to develop and maintain individual career and academic plans (ICAPs) by the ninth grade, it is an administrative and instructional burden to require 6th grade students to register for CIC. There are multiple systems through which districts can implement ICAPs, and imposing a direct CIC system to local education agency student system connection places an undue burden on districts which have chosen to utilize a different product. This directive is incompatible with Colorado's long history of local control that allows districts to determine which products will best enable the creation and ongoing success of ICAPs.
- **Clarify online "school" versus "program" (22-30.7-102 C.R.S.).** The Colorado Department of Education has made a distinction between local education agency schools and programs. A school is an institution that is an autonomous entity with its' own administrator, a separate budget, and a complete instructional program. Schools meeting these requirements are assigned a school code and accept responsibility to fulfill reporting requirements and be held to state and federally mandated accountability processes. A program can operate in many different ways, but the key is that the accountability for each student is attributed back to a school. When the Online Learning Support Unit approves applications for Single-district Online Programs that have requested school codes and Certified Multi-district Online Programs it is focusing on schools, institutions with accountability attached.
- **Consider expanding classifications for online (New).** As the state continues to expand instructional options for students, legislation or rule should broaden the categories under which students are placed for funding and accountability purposes. Currently online students go into one of two buckets- online or not online. As local education agencies increasingly provide students with blended online, traditional and other innovative instructional strategies, the categorization becomes blurred.

- **Legal Documentation for RITS (New).** Local education agencies have long requested support to collect the information they need in order to generate a State Assigned Student Identifier (SASID). Legislation to support the usage of legal documentation such as the birth certificate, passport, or court adoption documents upon enrollment would greatly benefit school districts. Such action would also result in increased data accuracy and decreased case management within the Record Integration Tracking System (RITS). Although it is recognized that a district can't deny education to students, such legislation would alleviate contention between guardians and registrars upon enrollment and ultimately decrease the number of refusals to provide such information. In the event such legal forms of identification are not available at the time of registration due to emergency or hardship, the parent, guardian, or legal or physical custodian will in good faith make an effort to obtain and provide such documentation to local education agency as soon as possible.
- **Non-public school information (22-1-114 C.R.S.).** The burden of reporting non-public school information (22-1-114 C.R.S.) should be shifted from school districts to the non-public schools. It is recommended that legislation be enacted that requires all non-public schools to identify themselves to the Colorado Department of Education within a given timeframe at the beginning of a school year. This information can in turn be provided to districts in an expedient manner for federal program purposes.
- **Formalize EDAC Legislative Review Process (22-2-304 C.R.S.).** Alter statutory language to require Office of Legislative Legal Services drafter interaction with EDAC officers for the provision of reaction to proposed Colorado legislation containing local education agency data requirements. EDAC's recommendation is to alter 22-2-304 C.R.S. in the next session to require legislative drafter interaction with EDAC officers for the provision of financial, redundancy and necessity reaction to proposed Colorado legislation containing local education agency data requirements. A role clarification might include language such as "the office of legislative legal services shall notify EDAC of all proposed statutory data reporting requirements, receive EDAC recommendations and inform appropriate members of the general assembly of EDAC recommendations". Please reference the special section of the '2009-10 EDAC Annual Report' for more information.
<http://www.cde.state.co.us/cdereval/download/PDF/edacinfo/200910ReporttoSBEOct2010.pdf>

EDAC Supports Legislation to Further Protect the Privacy of Educator Data Records

Educator evaluation results and rankings splashed across the printed page, resulting in embarrassment and outcry. Having individual educator names and performance ratings posted in the community newspaper has been a practice utilized in other states as well as by districts within Colorado. While various federal and state regulations require the collection of individual teacher and administrator performance ratings, the utilization of such evaluation data become of utmost importance.

Collection Requirements. The federal American Recovery and Reinvestment Act (ARRA) State Fiscal Stabilization Funds (SFSF) initially required the reporting of annual teacher evaluation results in Colorado in 2009-10. The US Department of Education's federal data reporting system or the Education Data Exchange Network provides specifications on how to aggregate and report the performance ratings of educators. Colorado's own Great Teachers and Leaders Bill (S.B. 10-191) established new expectations for local personnel evaluation systems and required the State Board of Education to promulgate rules concerning the planning, development, implementation, and assessment of a system to evaluate the effectiveness of licensed personnel. The resultant ratings will be reported by local education agencies to the state in the 2013-14 school year.

Confidential Data. There are privacy protections in place for students and employees. The Family Educational Rights and Privacy Act (FERPA) prevents the release of data which will allow the identification of any student. Colorado Revised Statute 22-2-111(3)(a) safeguards the confidential nature of applicant, student, employee, and licensed educator records. It is unlawful for any person to divulge such personal information without the written consent of the individual(s) involved. It does allow the publication of statistics relative to this information as long as the identity of educators and pupils is protected. Further, the Colorado Open Records Act (CORA), 24-72-201 through 24-72-309 C.R.S., defines what constitutes a personnel file and what may be released from it.

While these privacy protections are a great start, EDAC recommends strengthening privacy protections for education evaluation data. It is critical that legislation ensures that the usage of this performance information enhances the spirit of the Great Teacher and Leaders Bill to improve instruction.

EDAC Recommendation: *As the processes behind educator effectiveness are addressed and privacy protection legislation is strengthened, EDAC respectfully requests that the following be considered:*

- ***Provide guidelines to make educator effectiveness ratings public***
 - ***Suggest a minimum number of educators to prevent the identification of an individual***
 - ***Take into account how the processes and reporting affect small schools and districts***
 - ***Spell out who can access individual evaluation data***
 - ***Clarify how information from the personnel records will be used***

Additional Privacy Note: *EDAC is greatly appreciative of Colorado Department of Education efforts to assign Colorado educator identifiers (EDIDs) to staff members employed by local education agencies as suggested in our 2007-08 EDAC Annual Report. The department should continue its efforts to eliminate using the Social Security Number as a primary reporting field within any remaining collections to further reduce the possibility of confidential information breaches.*