

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 5]

[EXECUTIVE ORDER NO. 2023-01]

Pennsylvania Longitudinal Data System

January 6, 2023

Whereas, the use of early learning, K-12, higher education, and workforce data may improve education and workforce outcomes for, and better serve, Pennsylvanians; and

Whereas, data analysis supports the evaluation of education and workforce initiatives, leading to informed decision-making and improved service delivery, program administration, and long-term outcomes; and

Whereas, the ability to build evidence for effective services and programs helps ensure government is advancing strategies that work; and

Whereas, education and workforce development services and programs are implemented across multiple agencies and systems, each of which obtain, create, and store participant data related to program engagement, educational and credential attainment, skill development, wages, and other education and employment outcomes, in separate and distinct data systems; and

Whereas, the federal Workforce Innovation and Opportunity Act (WIOA) requires collaboration to achieve workforce goals, including “the development of strategies for aligning technology and data systems across one-stop partner programs to enhance service delivery and improve efficiencies in reporting on performance accountability measures;” and

Whereas, the Keystone Economic Development and Workforce Command Center, and the Pennsylvania WIOA Combined State Plan identify a comprehensive statewide longitudinal data system as a key strategy to connect and align early learning, K-12 education, higher education, and workforce data; and

Whereas, Sections 501 and 502 of The Administrative Code of 1929, Act of April 9, 1929, P.L. 177, art. V, §§ 501, 502, as amended, 71 P.S. §§ 181, 182, require administrative departments and independent and departmental administrative boards and commissions to coordinate their work and activities; and

Whereas, Commonwealth agencies have been engaged in various initiatives to advance the effective and transparent use of data, resulting in national recognition as a lead state in the Results For America—State Standards of Excellence; and

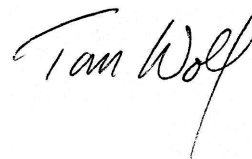
Whereas, operationalizing a longitudinal data system based on shared data sets requires proper governance, protection of data, and innovative problem-solving; and

Whereas, a longitudinal data system is a nationally recognized best practice utilized by various states to improve education and workforce outcomes; and

Whereas, a comprehensive longitudinal data system will further assist in understanding long-term education and workforce outcomes and measuring progress towards reaching education and workforce goals.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the

Commonwealth of Pennsylvania and other laws of the Commonwealth do hereby establish the Pennsylvania Longitudinal Data System and its Governance Board, and direct the following:



Governor

Fiscal Note: Executive Order 2023-01. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 5. COUNCILS AND COMMITTEES

Subchapter WW. PENNSYLVANIA LONGITUDINAL DATA SYSTEM

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§ 5.1041. Purpose.

The Pennsylvania Longitudinal Data System will bring together education and workforce data across programs and agencies to support informed decision-making and improved service delivery, program administration, and long-term education and workforce outcomes.

§ 5.1042. Composition.

The members of the Pennsylvania Longitudinal Data System governance board shall be appointed by the Governor and shall consist of the following:

- (1) The Secretary of Policy and Planning or the Secretary's designee.
- (2) The Secretary of the Department of Labor and Industry or the Secretary's designee.
- (3) The Secretary of the Department of Education or the Secretary's designee.
- (4) The Secretary of the Department of Human Services or the Secretary's designee.
- (5) The Secretary of the Department of Corrections or the Secretary's designee.
- (6) The Secretary of Administration or the Secretary's designee.
- (7) The Deputy Secretary for Information Technology or the Deputy Secretary's designee.
- (8) The Commonwealth's Chief Data Officer.
- (9) The Commonwealth's Chief Privacy Officer.

§ 5.1043. Power and duties.

The Pennsylvania Longitudinal Data System (PALDS) governance board shall do all of the following:

- (1) Elect annually one of the PALDS governance board's members to serve as chair.
- (2) Create a strategic plan to implement this subchapter.

(3) Establish data governance policies for the PALDS that comply with Federal and State laws and Commonwealth policy regarding data use, security and privacy.

(4) Identify the long-term organizational and operational needs to ensure the PALDS is sustainable and able to meet its purpose under § 5.1041 (relating to purpose).

(5) Meet quarterly to ensure successful implementation of the strategic plan, approve research projects and address issues identified by the PALDS management team.

§ 5.1044. Executive director.

(a) The Governor shall appoint an executive director to oversee the governance board's operations and support the development, use and maintenance of the Pennsylvania Longitudinal Data System (PALDS) and who shall serve at the pleasure of the Governor. The executive director shall be an employee of the Governor's Office of Administration and shall report to both the Secretary of Administration and the Secretary of Policy and Planning on the work of the PALDS governance board.

(b) The executive director shall do all of the following:

(1) Establish an agenda, workplan, timeline and meeting schedule for the PALDS governance board.

(2) Assist the PALDS governance board in fulfilling its responsibilities under this subchapter.

(3) Establish the PALDS management team, as authorized by the PALDS governance board with specific purposes and goals; the PALDS management team shall include, but not be limited to, agency data stewards and legal counsel from agencies that provide data to the PALDS.

(4) Oversee the PALDS management team. The PALDS management team shall provide recommendations on the development of the PALDS, and its ongoing operations, in compliance with legal, statutory and regulatory requirements.

(5) Establish cross-agency PALDS committees, if needed, to review research projects and provide recommendations to the executive director and the PALDS management team on said projects.

(6) Report to the PALDS governance board on a regular basis the work that is being done by the PALDS management team and any PALDS committee.

§ 5.1045. Collaboration with other agencies.

Agencies under the Governor's jurisdiction that maintain, collect or store early learning, K—12, higher education and workforce data, as identified by the Pennsylvania Longitudinal Data System (PALDS) governance board, shall cooperate and collaborate with the PALDS governance board, the executive director, the PALDS management team and the PALDS committees, in compliance with applicable Federal and State laws and regulations and Commonwealth policies, to support the purposes of the PALDS, including all of the following:

(1) Designate agency policy, legal, program, research staff and data stewards to serve as points of contact and to participate in PALDS committees.

(2) Review and identify available data sets and information necessary to respond to approved PALDS research projects.

(3) Develop a standing agency research agenda for the PALDS, which identifies and prioritizes the agency's research projects.

(4) Contribute resources where possible and appropriate, which includes support in identifying sustainable internal and external funding opportunities.

(5) Engage with relevant early learning, K—12, higher education and workforce stakeholders, including the Pennsylvania State System of Higher Education.

§ 5.1046. Implementation.

Agencies shall take all steps necessary to implement this subchapter to the extent permissible by law.

§ 5.1047. General provisions.

This subchapter shall be implemented consistent with applicable law. This subchapter is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies or entities, its officers, employees, or agents, or any other person.

§ 5.1048. Effective date.

This subchapter shall take effect immediately.

§ 5.1049. Termination date.

This subchapter shall remain in effect unless revised or rescinded by the Governor.

[Pa.B. Doc. No. 23-100. Filed for public inspection January 27, 2023, 9:00 a.m.]