Policies, Programs, and Implementation Committee (PPI) Meeting Summary

Monday, July 22, 2024
Morning Session

PPI Committee Kickoff

PPI Chair Jon Wiens, Oregon Department of Education, and PPI Vice Chair Peggy Jones, Pasco County Schools (FL), welcomed members to the meeting and led the group in introductions. Jon briefly reviewed major activities and discussions from the 2023 PPI meeting and reviewed the 2024 meeting agenda.

Opening Session Follow-up: Revised Standards for Federal Data on Race and Ethnicity

Jon and Peggy led a discussion on revisions to the U.S. Office of Management and Budget's Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15).[1]

Members felt that changes necessary to collect the new race/ethnicity categories would not be a significant burden based on their past experience—states and districts adjusted technology and processes to meet the requirement to report data using the new categories as of the 2010-11 school year. Instead, they were concerned about messaging to their communities. Members agreed that it would be helpful to get a clear rationale from the U.S. Department of Education (ED) explaining what the data would be used for so they can explain the benefits to families, such as with increases in funding or other supports. Members also asked for guidance on maintaining trend lines for accountability and graduation rates, as well as information on how Every Student Succeeds Act (ESSA) accountability and Individuals with Disabilities Education Act (IDEA) compliance trends will be calculated.

Other members wondered how collecting more granular data would be beneficial, particularly for students. For example, some districts have programs designed for students from certain racial/ethnic groups that also serve other students and expressed concerns that more granular data may exclude students who would benefit from these programs. States with large multiracial populations anticipate that they may see major changes to how these students' race/ethnicity are categorized. Decisions about how the data are reported are important, as different analyses of the data will produce different outcomes.

Additionally, many of the resulting data categories could produce small cell sizes in districts with smaller enrollments that need to be suppressed for reporting. That produces a challenge in communicating the usefulness to the public of the new data collection. Additional discussion centered around the effort required for respondents to read all the options before choosing the one or more categories that most closely represent their racial/ethnicity identity. Concerns were

[1] https://www.federalregister.gov/documents/2024/03/29/2024-06469/revisions-to-ombs-statistical-policy-directive-no-15-standards-for-maintaining-collecting-and

raised that respondents would stop at the first category in the list that they identify with, which significantly affects data quality.

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Joint Session Follow-up: Forum Working Groups

Jon and Peggy led a discussion following the panel presentation on Forum working groups presentation, in which DeDe Conner, Kentucky Department of Education, Raymond Martin, Connecticut State Department of Education, and Will Goodman, Boise School District (ID), provided an overview of forthcoming Forum resources on artificial intelligence (AI) in education, student mobility data, and educator workforce data. Committee members discussed a series of questions in small groups and then reported their conclusions to the group.

AI in Education Working Group

All members reported similar issues around the tension between AI's early adopters who do not believe AI is fallible and those wanting to proceed slowly and cautiously given there is not yet a consensus of whether AI is safe and beneficial, nor on the best use cases for the technology. Similarly, in some states the state education agency (SEA) has strictly banned the use of AI; in others, it is a local decision. In some places, the SEA has issued guidance that agency staff and local education agencies (LEAs) cannot use AI tools; in other states, it is a local decision.

Student Mobility Data Working Group

Members discussed the need for standardized definitions around student mobility so data can be compared more easily across LEAs and SEAs. Some LEAs are increasing their family engagement staff and finding they have a more mobile population than anticipated. Some SEAs have found uneven use of family engagement strategies, which has compromised data consistency within the state. Agencies also do not have consistent collection or reporting on student mobility data, even though there is widespread agreement on the negative effects of mobility on teaching and learning. Members also discussed the differences between states in funding for mobile students. In some states, such as Rhode Island and Arizona, funding follows the student even when enrolled for only a couple of days. In others, like North Carolina, students have to be enrolled within 20 days of the start of the school year for the LEA to receive funding for those students.

Educator Workforce Data

Members noted a primary issue is the statewide data collection of educator vacancies. Some state legislatures require reporting, but members noted the lack of clear definitions for "vacancies" and other measures, and the need for universal definitions. Additionally, siloed human resources (HR) departments create challenges within and across LEAs. Although teacher shortages are a nationwide concern, members felt federal data collections on teacher shortages could be made more useful.

Dissemination Strategies

Jon then asked members to discuss in what form these resources would be most useful for dissemination and how they promote them to their colleagues. Members reported that they often do not send entire document to colleagues but more often will excerpt (or print) sections they

feel would be useful for a specific circumstance. Recommendations for supplemental dissemination resources include the following:

- One-pagers, summarizing the full document and key sections, are most useful. Members appreciated the idea of one-pagers customized to different audiences.
- Downloadable presentations that can be customized by the agency.

Members also brainstormed how they could share Forum resources internally; for example, by using internal newsletters to regularly promote the documents to various audiences, such as data coordinators. Both SEA and LEA members also suggested sharing documents at statewide meetings, as those outside the Forum may be less familiar with the resources.

Analyzing and Using Geographic Data

Jon and Peggy welcomed Stephen Gervais, California's LEA from San Bernardino City Unified School District (SBCUSD), who shared information about how agencies are using geographic data. Stephen began by explaining how the choices that go into map design tell a story. Geographic information systems (GIS) can provide information for LEAs to use to answer location-based questions, such as:

- Which neighborhoods have high rates of chronic absenteeism?
- Where should a family engagement center be located to support newcomer families?
- Are asthma rates higher in schools near railway lines?

Stephen then provided background on considerations that affect mapmaking, such as how administrative boundaries influence how data are summarized and shown, and the importance of considering the number of individuals represented within each administrative boundary.

Using choropleth maps[2] of SBCUSD, Stephen demonstrated the usefulness of GIS for understanding student mobility, population density, and chronic absenteeism. He also demonstrated the usefulness of hot spot analysis to provide more specific information on each of these topics, including information on how communities change over time. After discussing his district, Stephen provided maps that visualize different measures of poverty across California.

Finally, Stephen reiterated the connection between GIS mapping and education agencies' responsibilities to the students they serve. Through mapmaking, agency staff who work on student wellness, student services, counseling, or otherwise address issues such as suspensions, low test scores, or chronic absenteeism, can better understand and reach the students who need additional supports.

PPI members expressed appreciation for Stephen's presentation and engaged in a follow-up discussion that focused on the following:

[2] A choropleth map is a type of statistical thematic map that uses color corresponding with an aggregate summary of a geographic characteristic within spatial enumeration units, such as population density or per-capita income. Choropleth maps provide an easy way to visualize how a variable varies across a geographic area or show the level of variability within a region.

- Differences between using data visualization software and the various GIS software packages demonstrated in the presentation.
- Weighing utility and investment in resources to purchase and train staff to use the software.
- The usefulness of the data produced by the various analysis and display options.

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Joint Session Follow-up: Cybersecurity in Education Agencies
Jon and Peggy led a discussion following the morning' joint session presentation, which included presentations from Steven Hernandez, ED, and Will Goodman, Boise School District (ID).

Several members noted their agencies had adopted two-factor authentication for logins, either via personal or agency-issued cell phones. One LEA noted that an authenticator app is used only for staff in certain positions in the district, not teachers. Many SEAs reported removing land lines and issuing cell phones, which has made it easier to require the installation of certain apps, including authenticators. Additionally, some agencies are considering adding another layer of security for higher-level access.

Discussion also covered cybersecurity training in agencies, including agency- or government-wide phishing exercises. The frequency of these trainings ranges from once per month to once per year. If individuals fail to complete the training, some agencies have threatened to remove access to sensitive data, while others noted the challenge that labor agreements could pose to removing access for noncompliance.

Some agencies reported having experienced a cyber-attack but managed to respond and mitigate the attack. In some cases, agencies took the opportunity to improve their security posture, such as adding authentication methods.

Data Privacy
Jon and Peggy led a discussion on data privacy, which has been a longstanding topic of interest to committee members. The discussion was focused on two areas: data sharing agreements and memoranda of understanding (MOUs), and AI data privacy considerations.

Data Sharing Agreements and MOUs
Many agencies have a formal process for approving data sharing agreements. Questions range from the request's scope to its purpose to data security measures. Internal review board (IRB) involvement is required by many agencies if the requestor is associated with a university. Several layers of review within the agency also are often required, ranging from state board of education to chief privacy officers. In some states, data sharing incurs an associated fee, even for interdepartmental requests.

Committee members discussed data security concerns associated with data sharing requests, particularly with researchers. Members noted the data sharing agreement is with both the researcher and the institution, and agencies should ensure both parties sign the agreement to acknowledge responsibility. Certification of data destruction at the end of the study is requested,

but few agencies have the staff to follow up for confirmation, and even fewer have the capacity to conduct audits to ensure the destruction took place.

The different types of motivations behind data sharing requests also were discussed. Agencies sometimes are required to share data, even if it may not be in the students' best interests. Members expressed an interest in inviting some large organizations that are the sole provider of certain types of services to speak with PPI on these issues.

Another topic of discussion was open records requests compared to data sharing requests. Members discussed how state laws differ and noted that clear guidance from the state attorney general would be helpful.

AI Data Privacy Considerations
AI is a frequently discussed topic in committee members' agencies. In some cases, stakeholders are encouraging LEAs to allow student and teacher use of commercial AI products; in others, stakeholders are advocating for a closed AI system that would protect users' privacy and security. One member noted that their local community supports the adoption of closed AI but has not fully recognized the cost that solution entails. Committee members are concerned about the security risks associated with commercial AI products and that vendors are embedding or enabling AI in software subscriptions without explicit permission.

Some agencies are seeing conflict between rapid adopters and more cautious members of their staff. They have observed vendors making presentations at conferences to excite teachers and administrators at the possibility of using AI to solve problems ranging from lesson planning to social-emotional learning (SEL) but are not talking about the potential issues associated with AI. Like self-driving vehicles that use AI, there are risks that using AI in education could create new or unforeseen problems.

A member shared that they are developing a manuscript on data ethics and, following the committee's conversation, will include AI. Members noted that while data ethics is one component of data literacy, there also should be transparency and consideration of consequences to minimize the chance of harm or bias. However, this is not currently possible with most AI systems.

Additional Forum resources on AI will be needed as the field develops. Data privacy is a primary concern, given that the United States does not have protections in place like the European Union's (EU's) General Data Protection Regulation (GDPR).

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SEA Breakout Discussions: AI for SEAs
Georgia Hughes-Webb, West Virginia Department of Education, and DeDe provided an overview of the forthcoming *Introduction to Artificial Intelligence: A Forum Guide for State and Local Education Agencies* to the Forum's SEA members. Then they invited questions and discussion around SEAs' uses of AI, relevant policies, and ways the Forum could support SEAs in navigating AI considerations.

- **Defining AI**
    - SEA members discussed the definition of AI and how to determine which technologies are, or are not, AI. They considered the example of early warning systems (EWSs) and whether these are AI tools. One member suggested that when systems act independently, such as suggesting an element to add to the EWS, that is AI.
- **Ethics**
    - Members discussed the ethics around AI, focusing on the potential consequences of an AI system being hacked. If agencies rely on algorithms to conduct calculations and make predictions, human oversight still is needed.
    - Some members felt that SEAs have a responsibility to ensure AI benefits the educational community. One member questioned whether SEAs automatically should adopt a perspective of determining the best uses of AI, as opposed to evaluating whether they should they use AI at all.
- **AI Guidance and Policies**
    - Some states, including West Virginia, have issued guidance to LEAs on the use of AI but have not established AI policies.
    - Louisiana has developed guidance for LEAs articulating the limitations and permissible uses of AI at the teacher and student levels.
    - Some states have a strategic operations group review and provide feedback on potential AI policies.
- **Resources**
    - Members suggested the Forum could help SEAs develop guidance for their own agencies and for LEAs. One member suggested differentiating between AI in SEAs, AI in LEAs, and joint SEA/LEA AI uses.
    - DeDe suggested that as states create their policies, they could be collected as a supplemental resource for the forthcoming Forum guide.
    - The Council of Chief State School Officers (CCSSO) has developed an AI landing webpage, "CCSSO's AI Resource Hub (https://learning.ccsso.org/ccssos-artificial-intelligence-ai-resource-hub)," as a means to educate chief state school officers and chief data officers about important AI questions and considerations, and to provide strategies for embedding best practices in AI policies as they are developed. The resource hub features a collection state-generated AI initiatives, policies, and educational tools.

LEA Breakout: Using AI in the Classroom

Peggy led the PPI LEA members in a discussion about the use of AI in their schools and classrooms. Members reported little collaborative work with their SEAs, but in many cases, LEAs are looking to the SEA for assistance. Pawtucket School Department (RI) has an AI working group and has provided training to district leaders, but has not yet extended training to all of the district staff.

For most of the LEAs, the biggest concern their agencies' have with AI is around student privacy and the Family Educational Rights and Privacy Act (FERPA). Members noted that free versions of software have been found to be the least compliant in terms of student privacy. This raises the

risk that staff and students could be more likely to use free AI tools, and districts may face resistance if an outright ban on AI tools is implemented.

Members noted that most districts do not have a systemic plan to address AI. Given the cost involved in paying for certain AI systems, agencies are seeing equity issues as a result, with students from households with broadband internet and paid access to AI tools more likely to use AI than others.

Data Breach Response Training

PPI members participated in a Privacy Technical Assistance Center (PTAC) data breach response training exercise led by the PTAC Director. This participant-driven discussion focused on decisions education agency teams might make in response to a hypothetical information technology (IT) emergency. Topics of discussion from the exercise included the following:

- Review of data breaches in education
    - The Cybersecurity & Infrastructure Security Agency (CISA) and the Federal Bureau of Investigation (FBI) issued a joint alert about directory traversal vulnerabilities that have affected schools and other critical services.
    - In 2023, CISA and the FBI issued joint advisory about a brand of print management software that allowed actors to remotely execute malicious code without credentials.
    - The CISA report *Protecting Our Future: Cybersecurity for K-12* (https://www.cisa.gov/protecting-our-future-cybersecurity-k-12) is designed to help schools reduce their cyber risk.
    - CISA, the FBI, and the Multi-State Information Sharing and Analysis Center (MS-ISAC) issued a joint advisory about malicious cyber actors targeting K-12 schools.
- Challenges for schools include:
    - the prevalence of remote learning and working;
    - reliance on enterprise systems, partners, vendors, staff for technology; and
    - new and different attack surfaces and risks.
- Members walked through the scenario content, deliberated as a group on response activities, and discussed best practices to reduce the risk of a data breach:
    - Data breaches are more than just a technology issue; they also affect communications, policy, and leadership. The Incident Response Team (IRT) composition, policy, and plans are key to a successful response.
    - Create a formal IRT policy and plan, and practice it through regular tabletop exercises.
    - Legal counsel is important, as is involving the cyber insurance company early in the incident response process.
    - Balance between timeliness and prudence in providing information to the public can be a challenge for agencies.
    - Increasingly, incidents that occur are outside the agency's control, and in the vendor systems. Contracts and communication are key.
    - Data privacy and security awareness training should be in place for all employees at all levels within the organization.

- PTAC provided the following resources to members and encouraged them to visit https://studentprivacy.ed.gov/ for more information.
    - Data Breach Response Checklist: https://studentprivacy.ed.gov/resources/data-breach-response-checklist
    - Downloadable Data Breach Training Kits: https://studentprivacy.ed.gov/resources/data-breach-response-training-kit
    - PTAC Student Privacy Training
        - Videos: https://studentprivacy.ed.gov/content/videos
        - Online Training Modules: https://studentprivacy.ed.gov/content/online-training-modules

Follow-up Discussion: Data Breach Response Training

Jon and Peggy led the committee in a follow-up discussion to the PTAC presentation. Members reported that their IT staff understand the importance of cyber and data security, but find challenges in securing leadership support proactively before an incident occurs, as opposed to reactively. There was widespread agreement that data breaches will happen, and members agreed they need to spend more time on their incident response policies and plans. Management of exposure risk rests on procedures and training.

Members expressed concern that AI systems that are trained on student data, particularly those that contain personally identifiable information (PII), retain the data. Existing federal privacy legislation does not necessarily address this scenario or other instances where a human could not breach an agency's data system on their own, but an AI-enabled cybersecurity threat could. With that, members also noted that breaches are not always electronic, such as a bad actor taking documents with confidential information that are stacked next to a printer. Any staff training is an opportunity to teach how to mitigate these types of weaknesses in processes. Members reinforced the need for consistent trainings and knowledge checks, even when it might not be agency leaders' top priority.

Members noted response planning is an issue for small districts and suggested alliances and consortia to support collective efforts.

Follow-up Discussion: Race and Ethnicity Data: Policy and Implementation Considerations

PPI members continued their discussion on the revised standards for federal data on race and ethnicity and the implications for federal, state, and local data collections, focusing on policy and implementation considerations. Several common themes were discussed:

- Given the work involved in collecting data for the new categories, members wondered about what questions the additional data are trying to answer and how they will be used.
- Questions remain about reidentification and bridging data, particularly given that the federal race/ethnicity categories were changed less than 30 years ago.
- Resources on the revised standards, such as best practice publications, online materials, and videos, that are tailored to different roles would be useful.

PPI Election

Peggy Jones, Pasco County Schools (FL), was nominated as the 2024-25 PPI chair, and Annette Severson, Colorado Department of Education, was nominated as the 2024-25 PPI vice chair.

Wednesday, July 24, 2024
Morning Session

Topics from the Floor

Jon and Peggy opened the floor for members to discuss topics of interest that were not addressed during planned conversations. Members discussed the following topics:

- When presentations or discussions on the same topic are going to be presented, joint sessions are preferred over committee visits.
- Information in publications could be presented dynamically, ideally differentiated by role or learning style.
- Updating Forum documents, including the:
    - *Forum Guide to Data Governance* (https://nces.ed.gov/forum/pub_2020083.asp). Especially given the increase in data use at all levels in education, members suggested data governance be positioned as a throughline across Forum documents, with a framework using data quality, data literacy, and data governance as a foundation for engaging in any conversation about data.
    - *Forum Guide to Alternative Measures of Socioeconomic Status in Education Data Systems* (https://nces.ed.gov/forum/pub_2015158.asp). Members discussed how the Community Eligibility Provision (CEP), which allows free meals to all enrolled students in a qualifying school, not just the low-income students, may have affected this topic. In addition, members discussed the changes from the Income Poverty Ration (IPR) measurements and data trends that have relied on older measures of socioeconomic status. In addition, members discussed the challenges involved in choosing one poverty measure over another when multiple measures are possible.
- For quickly evolving topics, like AI, members wondered if the traditional static Forum publication format is the best option compared to a webpage that would be easier to update.

Forum Website Review

Jon began the discussion by highlighting Forum dissemination activities. All Forum members are responsible for promoting and disseminating Forum products to their fellow staff and subject matter experts through relevant activities, networks, and professional meetings. Dissemination approaches members have taken include:

- requiring staff to complete one or more of the Forum's online courses (https://nces.ed.gov/forum/online_courses.asp);
- presenting on Forum resources at meetings, workshops, trainings, and conferences;
- posting Forum resources to their agency's website;
- referring colleagues to specific Forum resources for guidance on a particular data issue;
- disseminating Forum resources through agency newsletters and relevant email lists;
- sharing Forum resources with agency staff, agency leadership, and peer networks; and
- sharing draft resources with agency colleagues for feedback.

The Forum's Communications Subcommittee is charged with identifying and developing methods for advancing Forum communications, including dissemination activities. The subcommittee met on Sunday, July 21, to, in part, discuss how to make the Forum website more user-friendly and easier to navigate. It also reviewed new mockups to make the Forum homepage and menu bar more streamlined, interactive, and visually engaging.

PPI members reviewed the following Forum webpages, discussed the subcommittee's recommendations, and shared their suggestions for improved navigation, organization, and discoverability:

- The Forum Publications page (https://nces.ed.gov/forum/publications.asp) provides free resources on a variety of issues that affect schools, school districts, and state education agencies. Each publication is based on extensive, objective research and the collective experience and expertise of a wide variety of education professionals.
- The Member Resources page (https://nces.ed.gov/forum/memb_res.asp) contains several online resources to help members familiarize themselves with the Forum, including the *Forum Member Handbook*, New Member Training, Member Lists, Outreach Materials, and Meeting Notes.

Recommendations from the Communications Subcommittee and feedback from the Forum standing committees meeting will inform future updates to the Forum website.

PPI Committee Business

National Data Standards Activities: American Educational Research Association (AERA) 2024 Report

Jeff Dase, Decatur Public Schools District 61 (IL), attended AERA on behalf of the Forum. The AERA meeting offered over 2,500 sessions on a wide variety of topics. Jeff appreciated the benefit of attending the meeting with the opportunity to learn from colleagues and attended sessions focusing on several aspects of diversity, equity, and inclusion, ranging from issues around equity and resource allocation, celebrations of the African child, navigating resilience and reclaiming black spirit and joy, investigating the past to understand and the present and envision the future, examining *Brown v. Board* and understanding the impact that desegregation had on successful black schools, classroom management, and the use of AI across educational contexts. Finally, he reported attending a session on state ratings of schools and districts. The session questioned who decides what counts as failing, as local communities do not usually agree that a state's failing rating accurately reflects the community.

National Data Standards Activities: Pennsylvania Department of Education (PDE) Data Summit Report

Hope Moffett, Brandywine School District (DE), attended the PDE Data Summit in her neighboring state. She appreciated the conference structure, with sessions on mental health, Pennsylvania Information Management System (PIMS) administration, technology, special education, school/district improvement, Pennsylvania Value-Added Assessment System (PVAAS), and more. She attended sessions on the PIMS collections, which was an opportunity for the state to update LEAs and partners on recent legislative updates to their data collections and how the changes would affect local work. Hope appreciated that many sessions laid out the history of the collection, providing framework for the changes and the work itself. Hope reported

two highlights: a session on data storytelling that featured data visualizations and a hands-on session in which participants were provided with a dataset and used different statistical methods to examine and measure different ways disproportionately is calculated for LEAs in Pennsylvania.

Steering Committee Business/Report
Jon reported that the Steering Committee discussed the joint sessions and meetings of the Forum's three standing committees. The Steering Committee approved a slate of nominated Forum and committee officers, which will be voted upon by the full Forum during the Closing Session.

Meeting Review/Future Planning
Jon and Peggy thanked members for their participation and led a review of the meeting and discussion of plans for future PPI meetings. Members shared a preference for larger group presentations or discussions if the same topic is going to be presented across the committees.