

1 09 NCAC 06D .0101 is proposed for adoption as follows:

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3 **SECTION .0101 – NORTH CAROLINA EDUCATION LONGITUDINAL DATA SYSTEM**

4 **09 NCAC 06D .0101 DEFINITIONS**

5 In addition to the definitions set forth in 116E-1, the following definitions shall apply to the Rules in this Section:

- 6 (1) “Aggregated” means the act of collecting or combining information and presenting it in a way that does not
7 include personally identifying information of individuals. Aggregated data can be used for the purposes of
8 making comparisons or identifying patterns within or among groups of subjects or individuals. An example
9 of aggregated data would be the number of high school graduates from Wake County who graduated from
10 the University of North Carolina System with a Bachelor of Science in Engineering within the past three
11 years and their average salary.
- 12 (2) “Applicable law” means all statutes and rules of North Carolina and all relevant United States federal
13 statutes, regulations, standards and policy requirements pertaining to the protection of privacy and security
14 of confidential data. Applicable law includes the Family Educational Rights and Privacy Act, 20 U.S.C. §
15 1232g; the Health Insurance Portability and Accountability Act, 42 U.S.C. § 300gg, 29 U.S.C § 1181 et
16 seq., and 42 USC 1320d et seq.; the Workforce Innovation and Opportunity Act, 29 U.S.C. Ch. 32; and all
17 regulations promulgated thereunder.
- 18 (3) “Contributor” means an entity that discloses Data to the System. The Contributors may be one or more of
19 the entities specified in G.S. § 116E-5(d)(1).
- 20 (4) “Data” means student data as defined in G.S. § 116E-1(4), workforce data as defined in G.S. § 116E-1(7),
21 or other personally identifying data disclosed by the Contributors to the System and any data released from
22 the System in response to data requests.
- 23 (5) “GDAC” means the Government Data Analytics Center, which has the authority to operate and oversee the
24 System pursuant to G.S. § 116E-4.
- 25 (6) “North Carolina Education Longitudinal Data System” or “System” means the technical system operated
26 by GDAC along with the technical systems maintained and operated by the Contributors to collect, store,
27 aggregate, and report or disclose Data solely when those systems are being utilized to respond to a Request.
- 28 (7) “Report” means the de-identified or aggregated information, data extract, or data file generated by the
29 System using Data on a specified group of students, workforce members, or both, to fulfill a Request.
- 30 (8) “Request” means an inquiry for a Report containing information on a specified group of students,
31 workforce members, or both from the System by a Requestor
- 32 (9) “Requestor” means an entity or individual that makes a Request to the System for a Report. A Requestor
33 may also be a Contributor.

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35 *History Note: Authority G.S. 143B-1321(a)(16); 116E-4(b)*