HOUSE BILL 704

F5

(9lr1352)

ENROLLED BILL

— Ways and Means/Education, Health, and Environmental Affairs —

Introduced by **Delegates Washington ~~and Charkoudian~~, Charkoudian, and Cain**

Read and Examined by Proofreaders:

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Proofreader.

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Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____M.

_____
Speaker.

CHAPTER _____

1   AN ACT concerning

2   **Maryland Longitudinal Data System – Student Data and Governing Board**

3   FOR the purpose of altering the types of records included in and excluded from the
4   definition of "student data" for purposes of the Maryland Longitudinal Data System;
5   adding the Department of Juvenile Services to the entities required to provide data
6   sets to the Maryland Longitudinal Data System; adding the Secretary of Juvenile
7   Services <u>or a certain designee</u> to the governing board of the Maryland Longitudinal
8   Data System Center; altering the type of data certain entities are required to
9   transfer to the Maryland Longitudinal Data System; and generally relating to the
10   Maryland Longitudinal Data System.

11 BY repealing and reenacting, without amendments,
12   Article – Education
13   Section 24–701(a) and (b) and 24–704(a)
14   Annotated Code of Maryland

[barcode]

1   (2018 Replacement Volume and 2018 Supplement)

2   BY repealing and reenacting, with amendments,
3   Article – Education
4   Section 24–701(f), 24–703(f), 24–704(b), and 24–707(a)
5   Annotated Code of Maryland
6   (2018 Replacement Volume and 2018 Supplement)

7   SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
8   That the Laws of Maryland read as follows:

9   **Article – Education**

10   24–701.

11   (a)   In this subtitle the following words have the meanings indicated.

12   (b)   "Center" means the Maryland Longitudinal Data System Center.

13   (f)   (1)   "Student data" means data relating to **OR IMPACTING** student
14   performance.

15   (2)   "Student data" includes:

16   (i)   State and national assessments;

17   (ii)   Course–taking and completion;

18   (iii)   Grade point average;

19   (iv)   Remediation;

20   (v)   Retention;

21   (vi)   Degree, diploma, or credential attainment;

22   (vii)   Enrollment; **[**and**]**

23   (viii) Demographic data**;**

24   **(IX)   JUVENILE DELINQUENCY RECORDS; AND**

25   **(X)   ~~DISCIPLINE~~ *ELEMENTARY   AND   SECONDARY   SCHOOL***
26   *DISCIPLINARY* **RECORDS**.

27   (3)   "Student data" does not include:

1   (i)   **[**Juvenile delinquency records;

2   (ii)**]**   Criminal and CINA records; **AND**

3   **[**(iii)**] (II)**   Medical and health records**[**; and

4   (iv)   Discipline records**]**.

5 24–703.

6   (f)   The Center shall perform the following functions and duties:

7   (1)   Serve as a central repository of student data and workforce data in the
8 Maryland Longitudinal Data System, including data sets provided by:

9   (i)   The State Department of Education;

10   (ii)   Local education agencies;

11   (iii)   The Maryland Higher Education Commission;

12   (iv)   Institutions of higher education; **[**and**]**

13   (v)   The Department of Labor, Licensing, and Regulation; **AND**

14   **(VI)   THE DEPARTMENT OF ~~JUVENILE~~ *JUVENILE* SERVICES;**

15   (2)   Oversee and maintain the warehouse of the Maryland Longitudinal
16 Data System data sets;

17   (3)   Ensure routine and ongoing compliance with the federal Family
18 Educational Rights and Privacy Act and other relevant privacy laws and policies, including:

19   (i)   The required use of de–identified data in data research and
20 reporting;

21   (ii)   The required disposition of information that is no longer needed;

22   (iii)   Providing data security, including the capacity for audit trails;

23   (iv)   Providing for performance of regular audits for compliance with
24 data privacy and security standards; and

25   (v)   Implementing guidelines and policies that prevent the reporting
26 of other potentially identifying data;

1   (4)   Conduct research using timely and accurate student data and
2 workforce data to improve the State's education system and guide decision making by State
3 and local governments, educational agencies, institutions, teachers, and other education
4 professionals;

5   (5)   Conduct research relating to:

6   (i)   The impact of State and federal education programs;

7   (ii)   The performance of educator preparation programs; and

8   (iii)   Best practices regarding classroom instruction, education
9 programs and curriculum, and segment alignment;

10   (6)   Fulfill information and data requests to facilitate State and federal
11 education reporting with existing State agencies as appropriate; and

12   (7)   Fulfill approved public information requests.

13 24–704.

14   (a)   There is a Governing Board of the Center.

15   (b)   The Governing Board shall include the following members:

16   (1)   The Secretary of Higher Education, or the Secretary's designee;

17   (2)   The Chancellor of the University System of Maryland, or the
18 Chancellor's designee;

19   (3)   The President of Morgan State University, or the President's designee;

20   (4)   The State Superintendent of Schools, or the Superintendent's designee;

21   **(5)   THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S**
22 **DESIGNEE;**

23   **[**(5)**] (6)**   The Secretary of Labor, Licensing, and Regulation, or the
24 Secretary's designee;

25   **[**(6)**] (7)**   A representative of local superintendents of schools, appointed
26 by the Governor with the advice and consent of the Senate;

27   **[**(7)**] (8)**   The Executive Director of the Maryland Association of
28 Community Colleges, or the Executive Director's designee;

1   **[**(8)**] (9)** The President of the Maryland Independent College and
2 University Association, or the President's designee; and

3   **[**(9)**] (10)** Four members of the public, appointed by the Governor with the
4 advice and consent of the Senate.

5 24–707.

6   (a) Local education agencies, community colleges, public senior higher education
7 institutions, and State agencies shall:

8   (1) Make every effort to comply with the data requirements and
9 implementation schedule for the Maryland Longitudinal Data System as set forth by the
10 Governing Board; and

11   (2) Transfer **[**student–level and transcript–level**] STUDENT** data and
12 workforce data to the Maryland Longitudinal Data System in accordance with the data
13 security and safeguarding plan developed under § 24–704(g)(6) of this subtitle.

14   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2019.

Approved:

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                            Governor.

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                Speaker of the House of Delegates.

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                  President of the Senate.