

HOUSE BILL 704

F5

9lr1352

By: **Delegates Washington and Charkoudian**

Introduced and read first time: February 7, 2019

Assigned to: Ways and Means

A BILL ENTITLED

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 to the governing board of the Maryland Longitudinal Data System Center;
8 altering the type of data certain entities are required to transfer to the Maryland
9 Longitudinal Data System; and generally relating to the Maryland Longitudinal
10 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
15 (2018 Replacement Volume and 2018 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Education
18 Section 24–701(f), 24–703(f), 24–704(b), and 24–707(a)
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2018 Supplement)

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

23 **Article – Education**

24 24–701.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) “Center” means the Maryland Longitudinal Data System Center.

2 (f) (1) “Student data” means data relating to **OR IMPACTING** student
3 performance.

4 (2) “Student data” includes:

5 (i) State and national assessments;

6 (ii) Course-taking and completion;

7 (iii) Grade point average;

8 (iv) Remediation;

9 (v) Retention;

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

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

12 (viii) Demographic data;

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

14 **(X) DISCIPLINE RECORDS.**

15 (3) “Student data” does not include:

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

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

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

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

20 24–703.

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

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

24 (i) The State Department of Education;

1 (ii) Local education agencies;

2 (iii) The Maryland Higher Education Commission;

3 (iv) Institutions of higher education; [and]

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

5 **(VI) THE DEPARTMENT OF JUVENILE SERVICES;**

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

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

10 (i) The required use of de-identified data in data research and
11 reporting;

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

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

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

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

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

22 (5) Conduct research relating to:

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

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

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

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

1 (7) Fulfill approved public information requests.

2 24–704.

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

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

5 (1) The Secretary of Higher Education, or the Secretary’s designee;

6 (2) The Chancellor of the University System of Maryland, or the
7 Chancellor’s designee;

8 (3) The President of Morgan State University, or the President’s designee;

9 (4) The State Superintendent of Schools, or the Superintendent’s designee;

10 **(5) THE SECRETARY OF JUVENILE SERVICES;**

11 **[(5)] (6)** The Secretary of Labor, Licensing, and Regulation, or the
12 Secretary’s designee;

13 **[(6)] (7)** A representative of local superintendents of schools, appointed
14 by the Governor with the advice and consent of the Senate;

15 **[(7)] (8)** The Executive Director of the Maryland Association of
16 Community Colleges, or the Executive Director’s designee;

17 **[(8)] (9)** The President of the Maryland Independent College and
18 University Association, or the President’s designee; and

19 **[(9)] (10)** Four members of the public, appointed by the Governor with the
20 advice and consent of the Senate.

21 24–707.

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

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

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

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