HOUSE BILL 704

F5   9lr1352

By: **Delegates Washington ~~and Charkoudian~~, Charkoudian, and Cain**
Introduced and read first time: February 7, 2019
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 5, 2019

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
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:

1   **Article – Education**

2   24–701.

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

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

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

7   (2)   "Student data" includes:

8   (i)   State and national assessments;

9   (ii)   Course–taking and completion;

10   (iii)   Grade point average;

11   (iv)   Remediation;

12   (v)   Retention;

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

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

15   (viii)   Demographic data**;**

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

17   **(X)   DISCIPLINE RECORDS**.

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

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

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

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

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

23   24–703.

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

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

4   (i)   The State Department of Education;

5   (ii)   Local education agencies;

6   (iii)   The Maryland Higher Education Commission;

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

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

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

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

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

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

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

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

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

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

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

26   (5)   Conduct research relating to:

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

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

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

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

5   (7)   Fulfill approved public information requests.

6   24–704.

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

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

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

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

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

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

14   **(5)   THE SECRETARY OF JUVENILE SERVICES, OR THE SECRETARY'S**
15   **DESIGNEE;**

16   [(5)] **(6)**   The Secretary of Labor, Licensing, and Regulation, or the
17   Secretary's designee;

18   [(6)] **(7)**   A representative of local superintendents of schools, appointed
19   by the Governor with the advice and consent of the Senate;

20   [(7)] **(8)**   The Executive Director of the Maryland Association of
21   Community Colleges, or the Executive Director's designee;

22   [(8)] **(9)**   The President of the Maryland Independent College and
23   University Association, or the President's designee; and

24   [(9)] **(10)**   Four members of the public, appointed by the Governor with the
25   advice and consent of the Senate.

26   24–707.

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

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

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

7   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 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.