

Department of Legislative Services  
Maryland General Assembly  
2019 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1125  
Ways and Means

(Delegates P. Young and Ebersole)

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High Schools - Postsecondary Career and Technology Education Programs -  
Reporting on Student Acceptance Rates

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This bill requires each local school system to report to the Maryland State Department of Education (MSDE) by March 1 each year: (1) the number of students from each high school who were accepted into postsecondary career and technology education (CTE) programs during the previous calendar year; and (2) the types of programs in which the students were accepted. By April 1 each year MSDE must publish this information on its website as specified. **The bill takes effect July 1, 2019.**

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**Fiscal Summary**

**State Effect:** MSDE can compile and publish the required data using existing resources; however, some data may need to be redacted or aggregated to comply with the federal Family Educational Rights and Privacy Act (FERPA). In addition, some information may not be able to be collected, as explained below.

**Local Effect:** Local school systems expenditures may increase minimally to report the required information; however, actual costs will depend on implementation as described below.

**Small Business Effect:** None.

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**Analysis**

**Current Law/ Background:** In 2017, 22.5% of high school graduates in Maryland completed a high school CTE program, of those 13.5% also completed the entrance requirements for the University System of Maryland. This information is also available on

the Maryland Report Card website by local school system and by high school as part of the [high school completion dataset](#); however, the categories containing 5% or less or 95% or more of high school graduates are redacted due to FERPA.

### *Grade 12 Documented Decisions*

MSDE used to publish “grade 12 documented decisions” which was a questionnaire given within 30 days of anticipated graduation to all graduating seniors to indicate their post-graduation decisions. This information has not been published since 2015 and MSDE is currently considering how to collect this information in a sustainable manner. For the questionnaire, students indicated whether their post-graduation plans included the following:

- attend a four-year college;
- attend a two-year college;
- attend a specialized school or specialized training;
- enter employment (related to high school program);
- enter employment (unrelated to high school program);
- enter the military;
- enter full-time employment and school; and
- enter part-time employment and/or school.

For the questionnaire students could select multiple categories.

### *Maryland Longitudinal Data System*

Chapter 190 of 2010 established the Maryland Longitudinal Data System (MLDS) to contain individual-level student data and workforce data from all levels of education and the State’s workforce. The legislation also established the MLDS Center within State government to serve as a central repository for the data, to ensure compliance with federal privacy laws, to perform research on the data sets, and to fulfill education reporting requirements and approved public information requests.

The purpose of the data system is to facilitate and enable the exchange of student data among agencies and institutions within the State as well as generate timely and accurate information about student achievement that can be used to improve the State’s education system and guide decision makers at all levels. The data system allows users to effectively organize, manage, disaggregate, and analyze individual student data and to examine student progress and outcomes over time, including preparation for postsecondary education and the workforce.

The MLDS Center may only use de-identified data in the analysis, research, and reporting conducted by the center. The center may only use aggregate data in the release of data in reports and in response to data requests.

In its December 2018 annual report, MLDS reports that it is able to match 95% of all Maryland public high school twelfth graders to a higher education record, a workforce record, or both.

Although MLDS collects education and workforce data, it does not have any data on acceptance specifically into postsecondary CTE programs as that data is not centrally collected. Some data on enrollment in postsecondary programs is collected, although enrollment in postsecondary CTE programs is not necessarily disaggregated from other postsecondary enrollment. For example, community colleges enroll students in several different types of programs including postsecondary CTE programs.

As published in the 2018 Technical Supplement of the Maryland Commission on Innovation and Excellence Commission based on data provided by the MLDS Center, 3% of students entering Maryland high schools earn a postsecondary industry certificate within three years of entering a 2-year college or six years after entering a 4-year college. Most industry certificate programs are offered by community colleges and private career schools.

#### *Federal Family Educational Rights and Privacy Act*

FERPA is a federal law first enacted in 1974 that protects the privacy of student education records. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions:

- school officials with legitimate education interest;
- other schools to which a student is transferring;
- specified officials for audit or evaluation purposes;
- appropriate parties in connection with financial aid to a student;
- organizations conducting certain studies for or on behalf of the school;
- accrediting organizations;
- to comply with a judicial order or lawfully issued subpoena;
- appropriate official in cases of health and safety emergencies; and
- state and local authorities, within a juvenile justice system, pursuant to specific state law.

Specifically, FERPA allows the disclosure of individualized student data to organizations conducting studies for, or on behalf of, educational agencies or institutions to (1) develop, validate, or administer predictive tests; (2) administer student aid programs; or (3) improve instruction.

According to federal regulations, the release of de-identified records and information is allowed.

According to federal regulations, “personally identifiable information” includes, but is not limited to, (1) the student’s name; (2) the name of the student’s parent or other family members; (3) the address of the student or the student’s family; (4) a personal identifier, such as the student’s Social Security number, student number, or biometric record; (5) other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; (6) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (7) information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

**State Fiscal Effect:** MSDE can compile and publish the required data using existing resources; however, some data may need to be redacted or aggregated to comply with FERPA. MSDE advises that FERPA prevents small numbers of students being reported so as not to identify individual students. In that case MSDE would not be able to publish all the data required by the bill. For the purposes of this estimate, it is assumed that MSDE and local school systems follow FERPA requirements.

**Local Expenditures:** Local school system expenditures may increase minimally to report the required information; actual costs will depend on implementation and MSDE requirements. For the purpose of this estimate, it is assumed that local school systems require students to self-report the data required. Local school systems can collect the required data using a student survey similar to the grade 12 documented decisions survey; however, this data will be self reported, which may not be accurate, and will not reflect any acceptances to postsecondary CTE programs after a student graduates from high school. Many high school students may not have applied for postsecondary CTE programs prior to high school graduation since community colleges are open enrollment and accept students who meet minimum requirements. If local school systems use a paper survey, they may incur minimal data entry costs. If local school systems require students to enter their own data into a computer, the school system may incur minimal computer programming and other computer-related costs. However, without guidance from MSDE on how they would require the data to be reported these costs cannot be reliably estimated. It is assumed that any costs are minimal and can be handled with existing resources.

## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education; Maryland Higher Education Commission; Baltimore City Public Schools; Anne Arundel County Public Schools; Department of Legislative Services

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