HOUSE BILL 854

F5
HB 711/20 – W&M

1lr0641

By: **Delegate Kaiser**
Introduced and read first time: January 29, 2021
Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Longitudinal Data System Center – Inclusion of Out–of–Home**
3 **Placement Data**

4 FOR the purpose of including placement data from State–sponsored out–of–home care
5   originations in the data collected, organized, managed, disaggregated, reported on,
6   and analyzed by the Maryland Longitudinal Data System Center; altering the
7   purpose of the Center to include using information about children who were provided
8   with State–sponsored out–of–home care; adding the Social Services Administration
9   within the Department of Human Services as one of the organizations providing the
10   Center with data; requiring the Center to conduct research on the educational and
11   economic impact of childhood out–of–home placement; repealing a requirement that
12   the Center annually report certain information on students who are dually enrolled
13   to the Governor and the General Assembly; requiring the Center to develop a certain
14   data dashboard that is published annually on the Center's website on students who
15   are dually enrolled; requiring the Center to develop a certain data dashboard that is
16   published annually on the Center's website on children in out–of–home placements;
17   requiring the Department of Human Services to make every effort to comply with
18   certain data requirements; making conforming changes; defining a certain term; and
19   generally relating to the inclusion of placement data in the Maryland Longitudinal
20   Data System.

21 BY repealing and reenacting, with amendments,
22   Article – Education
23   Section 24–701, 24–702, 24–703(f), 24–703.1, and 24–707(a)
24   Annotated Code of Maryland
25   (2018 Replacement Volume and 2020 Supplement)

26 BY repealing and reenacting, without amendments,
27   Article – Education
28   Section 24–703(a)
29   Annotated Code of Maryland

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
    [Brackets] indicate matter deleted from existing law.

1   (2018 Replacement Volume and 2020 Supplement)

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

Article – Education

5   24–701.

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

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

8   (c)   "De–identified data" means a data set in which parent and student identity
9   information, including the State Assigned Student Identifier and student Social Security
10   number, has been removed.

11   (d)   "Governing Board" means the Governing Board of the Maryland Longitudinal
12   Data System Center.

13   **(E)   (1)   "PLACEMENT DATA" MEANS DATA RELATING TO A CHILD'S**
14   **EXPERIENCE WITH STATE–SPONSORED OUT–OF–HOME CARE.**

15   **(2)   "PLACEMENT DATA" INCLUDES:**

16   **(I)   SUPERVISING JURISDICTION;**

17   **(II)   REMOVAL REASON;**

18   **(III)   CHARACTERISTICS AT THE TIME OF REMOVAL;**

19   **(IV)   RETURN REASON;**

20   **(V)   PLACEMENT START AND END DATES; AND**

21   **(VI)   PLACEMENT TYPE.**

22   **[**(e)**] (F)**   "State Assigned Student Identifier" or "SASID" means the identifier
23   assigned to each student by:

24   (1)   A local education agency based on the identifier system developed by
25   the State Department of Education; or

26   (2)   An institution of higher education, if the student has not been assigned
27   an identifier by a local education agency.

1   **[(f)] (G)**   (1)   "Student data" means data relating to or impacting student
2 performance.

3   (2)   "Student data" includes:

4   (i)   State and national assessments;

5   (ii)   Course–taking and completion;

6   (iii)   Grade point average;

7   (iv)   Remediation;

8   (v)   Retention;

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

10   (vii)   Enrollment;

11   (viii)   Demographic data;

12   (ix)   Juvenile delinquency records; and

13   (x)   Elementary and secondary school disciplinary records.

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

15   (i)   Criminal and CINA records; and

16   (ii)   Medical and health records.

17   **[(g)] (H)**   "Workforce data" means data relating to:

18   (1)   Employment status;

19   (2)   Wage information;

20   (3)   Geographic location of employment; and

21   (4)   Employer information.

22 24–702.

23   (a)   The State Department of Education, Maryland Higher Education
24 Commission, University System of Maryland, Morgan State University, St. Mary's College
25 of Maryland, and Maryland Department of Labor jointly shall establish the Maryland
26 Longitudinal Data System that shall be fully operational by December 31, 2014.

1   (b)   The Maryland Longitudinal Data System is a statewide data system that
2   contains individual–level student data, **PLACEMENT DATA,** and workforce data from all
3   levels of education, **STATE–SPONSORED OUT–OF–HOME CARE,** and the State's
4   workforce, and allows the Center to:

5   (1)   Effectively organize, manage, disaggregate, and analyze individual
6   student data **AND PLACEMENT DATA**; and

7   (2)   Examine student progress and outcomes over time, including
8   preparation for postsecondary education and the workforce.

9   (c)   The linkage of student data, **PLACEMENT DATA,** and workforce data for the
10 purposes of the Maryland Longitudinal Data System shall be limited to no longer than 20
11 years from the date of latest attendance in any educational institution in the State.

12   (d)   The purpose of the Maryland Longitudinal Data System is to:

13   (1)   Generate timely and accurate information about student performance
14 that can be used to improve the State's education system and guide decision makers at all
15 levels; **[**and**]**

16   (2)   **GENERATE   TIMELY   AND   ACCURATE   INFORMATION   ABOUT**
17 **CHILDREN WHO WERE PROVIDED WITH STATE–SPONSORED OUT–OF–HOME CARE**
18 **THAT CAN BE USED TO IMPROVE THE STATE'S EDUCATION AND CHILD WELFARE**
19 **SYSTEMS AND GUIDE DECISIONS MADE AT ALL LEVELS; AND**

20   **(3)**   Facilitate and enable the linkage of student data, **PLACEMENT DATA,**
21 and workforce data.

22 24–703.

23   (a)   There is a Maryland Longitudinal Data System Center.

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

25   (1)   Serve as a central repository of student data, **PLACEMENT DATA,** and
26 workforce data in the Maryland Longitudinal Data System, including data sets provided
27 by:

28   (i)   The State Department of Education;

29   (ii)   Local education agencies;

30   (iii)   The Maryland Higher Education Commission;

1   (iv)   Institutions of higher education;

2   (v)   The Maryland Department of Labor; **[**and**]**

3   (vi)   The Department of Juvenile Services; **AND**

4   **(VII) THE SOCIAL SERVICES ADMINISTRATION WITHIN THE**
5 **DEPARTMENT OF HUMAN 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**; AND**

27   **(IV) THE IMPACT ON EDUCATIONAL AND ECONOMIC OUTCOMES**
28 **OF CHILDHOOD OUT–OF–HOME PLACEMENT;**

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

3   (7)   Fulfill approved public information requests.

4   24–703.1.

5   **(A)**   The Center shall **[**report to the Governor and, in accordance with § 2–1257 of
6 the State Government Article, the General Assembly on or before December 15 of each
7 year**]** **DEVELOP A CLEAR AND EASY–TO–UNDERSTAND GRAPHIC DATA DASHBOARD**
8 **THAT IS PUBLISHED ANNUALLY ON THE CENTER'S WEBSITE WITH INFORMATION**,
9 disaggregated by local school system, regarding:

10   (1)   The number of students who are dually enrolled under Title 18, Subtitle
11 14A of this article; and

12   (2)   The number and course name of the courses in which a student under
13 item (1) of this **[**section**]** **SUBSECTION** dually enrolls at the high school and at the public
14 institution of higher education.

15   **(B)**   **(1)**   **THE**   **CENTER**   **SHALL**   **DEVELOP**   A   **CLEAR**   **AND**
16 **EASY–TO–UNDERSTAND GRAPHIC DATA DASHBOARD THAT IS PUBLISHED ANNUALLY**
17 **ON THE CENTER'S WEBSITE WITH INFORMATION, DISAGGREGATED BY COUNTY,**
18 **REGARDING THE EXPERIENCE OF FORMER CHILDREN IN OUT–OF–HOME**
19 **PLACEMENTS AND HOW OUT–OF–HOME PLACEMENT AFFECTED PARTICIPATION IN**
20 **HIGHER EDUCATION.**

21   **(2)**   **THE DATA DASHBOARD REQUIRED UNDER THIS SUBSECTION**
22 **SHALL INCLUDE INFORMATION ON:**

23   **(I)**   **THE RATE OF ENROLLMENT IN INSTITUTIONS OF HIGHER**
24 **EDUCATION BY PLACEMENT;**

25   **(II)**   **THE TYPE OF INSTITUTION OF HIGHER EDUCATION IN**
26 **WHICH CHILDREN IN OUT–OF–HOME PLACEMENTS ARE ENROLLED;**

27   **(III)**   **THE TYPE OF FINANCIAL SUPPORT PROVIDED TO**
28 **CHILDREN IN OUT–OF–HOME PLACEMENTS ENROLLED IN AN INSTITUTION OF**
29 **HIGHER EDUCATION; AND**

30   **(IV)**   **THE GRADUATION RATE FOR CHILDREN IN OUT–OF–HOME**
31 **PLACEMENTS FROM INSTITUTIONS OF HIGHER EDUCATION.**

32   24–707.

1   (a)   Local education agencies, community colleges, public senior higher education
2 institutions, **THE DEPARTMENT OF HUMAN SERVICES,** and **OTHER** State agencies shall:

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

6   (2)   Transfer student data **[**and**],** workforce data**, AND PLACEMENT DATA**
7 to the Maryland Longitudinal Data System in accordance with the data security and
8 safeguarding plan developed under § 24–704(g)(6) of this subtitle.

9   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2021.