

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
State Board of Education**
(DLS Control No. 20-056)

Overview and Legal and Fiscal Impact

The regulations update the edition of the Maryland Student Records System Manual that is incorporated by reference.

The regulations present no legal issues of concern.

There is no material fiscal impact on State or local agencies.

Regulations of COMAR Affected

State Board of Education:

Students: General Regulations: COMAR 13A.08.01.01

Student Records: COMAR 13A.08.02.01

Legal Analysis

Summary of Regulations

The regulations update the edition of the Maryland Student Records System Manual that is incorporated by reference in COMAR 13A.08.02.01, replacing the 2016 edition with the 2020 edition. The regulations also update the reference to the manual in COMAR 13A.08.01.01.

The Maryland Student Records System Manual provides instructions and sample forms to assist local school systems in the maintenance of student records. Among other changes, the 2020 edition:

- alters dates and terminology to conform to State and federal statutory and regulatory changes;
- alters the student record card requirements, including altering and adding terms used in the student record card, adding a non-binary gender option for students, and eliminating the use of social security numbers;
- clarifies the requirements for transfer of records to State institutions;

- revises the layout and definitions in the standard demographic string;
- revises requirements for reporting attendance and absences;
- clarifies information that may be collected by local school systems on students in home instruction;
- includes descriptive information on the types of discipline about which information is collected by the State Department of Education;
- clarifies policies related to the retention of student records; and
- replaces the glossary and index with a complete list of student record card terms, a detailed table of contents, and a hyperlinked document.

Legal Issues

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The department cites §§ 2–205, 7–101, 7–101.1, 7–301, 7–303 through 7–305, 7–305.1, 7–307, 7–308, and 8–404 of the Education Article and Chapter 273 of 2016 as statutory authority for the regulations. Section 2–205 requires the State Board of Education to determine and carry out the elementary and secondary education policies of the State and to adopt bylaws, rules and regulations for the administration of the public schools. The remaining cited authority is not relevant to these regulations.

The relevant cited authority is correct and complete. The regulations comply with the legislative intent of the law.

Fiscal Analysis

There is no material fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The regulations require that enrollment, attendance, and promotion of students be maintained in accordance with the regulations and with the 2020, instead of the 2016, edition of the Maryland Student Records System Manual. The local school systems utilize the manual to record pertinent information in a uniform manner. The updated manual reflects changes in regulations and processes that have been made since 2016. The department advises that there is no fiscal impact on State or local governments; the Department of Legislative Services generally

concurr and advises that any required changes to local student record systems and procedures can be absorbed by local school systems as part of continuous updates to their student records system. The 2020 edition of the manual supersedes the 2016 edition and is incorporated by reference by the regulations.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The department advises that the regulations have minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

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