
By: **Chair, Education, Health, and Environmental Affairs Committee (By
Request - Departmental - Education)**

Introduced and read first time: January 16, 2006

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 7, 2006

CHAPTER _____

1 AN ACT concerning

2 **State Government - Forms Management - Extension of Implementation Date**
3 **for School Data**

4 FOR the purpose of extending the implementation date for the applicability of certain
5 standards for data collection forms for schools, school systems, and the State
6 Department of Education; and generally relating to data collection forms.

7 BY repealing and reenacting, without amendments,
8 Article - State Government
9 Section 10-606
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2005 Supplement)

12 BY repealing and reenacting, without amendments,
13 Chapter 459 of the Acts of the General Assembly of 1998, as amended by
14 Chapter 91 of the Acts of the General Assembly of 2000 and Chapter 467 of
15 the Acts of the General Assembly of 2003
16 Section 2

17 BY repealing and reenacting, with amendments,
18 Chapter 459 of the Acts of the General Assembly of 1998, as amended by
19 Chapter 91 of the Acts of the General Assembly of 2000 and Chapter 467 of
20 the Acts of the General Assembly of 2003
21 Section 3

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

3 **Article - State Government**

4 10-606.

5 (a) The plan shall:

6 (1) ensure that the forms management officer approves the use of a form
7 by the department or independent unit only if the form:

8 (i) is needed for the effective or efficient operation of the
9 department or independent unit;

10 (ii) requests information that is needed for or relevant to a lawful
11 purpose of the department or independent unit;

12 (iii) does not impose an undue burden on the individual who is to
13 complete the form;

14 (iv) is as brief, as plainly written, as well designed, and as easily
15 completed as possible; and

16 (v) does not duplicate unnecessarily:

17 1. another form of the department or independent unit; or

18 2. a form of another department or independent unit;

19 (2) require a register of the forms that the forms management officer
20 approves;

21 (3) require identification of each form in accordance with a standard
22 identification system of the Division;

23 (4) provide for the most economical system by which to prepare,
24 reproduce, and use a form; and

25 (5) require the forms management officer:

26 (i) to review periodically each form that has been approved to
27 determine whether the officer still approves the form; and

28 (ii) if not, to remove the form from the register.

29 (b) In addition to any duties set forth elsewhere, the Division shall:

30 (1) develop a standard identification system to identify forms;

31 (2) help each department and independent unit to:

- 1 (i) develop a proposed plan; and
2 (ii) coordinate the proposed plan with other plans;
3 (3) review each proposed plan;
4 (4) approve each proposed plan that meets the requirements of this
5 section; and
6 (5) monitor and help in the administration of each plan to ensure
7 compliance.

8 (c) (1) In the preparation of a form that requires identification of
9 individuals by race, a department or independent unit shall include the following
10 racial categories:

- 11 (i) American Indian or Alaska Native;
12 (ii) Asian;
13 (iii) Black or African American;
14 (iv) Native Hawaiian or other Pacific Islander; and
15 (v) White.

16 (2) A form that requires identification of individuals by race shall
17 include instructions that multiracial respondents may select all applicable racial
18 categories.

19 (3) (i) Respondents shall select their own answers, except when it is
20 not possible for the respondent to do so.

21 (ii) In the event that a respondent is not able to select an answer,
22 an observer, such as a family member or friend, may select the answer on behalf of
23 the respondent.

24 (4) A form that requires identification of individuals by race shall
25 include a separate question about whether a respondent is of Hispanic or Latino
26 origin, with the question preceding the racial category question.

27 **Chapter 459 of the Acts of 1998, as amended by Chapter 91 of the Acts of 2000**
28 **and Chapter 467 of the Acts of 2003**

29 SECTION 2. AND BE IT FURTHER ENACTED, That, except as provided in
30 Section 3 of this Act, the standards enacted under this Act shall be applicable to a
31 data collection form that is created or revised after the effective date of this Act, and
32 the standards shall be applicable to all data collection forms no later than January 1,
33 2002.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the standards shall be
2 applicable to all data collection forms for schools, school systems, and the State
3 Department of Education by July 1, [2006] 2009, or by the date established by the
4 United States Department of Education, whichever occurs sooner.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
6 effect June 1, 2006.