

# HOUSE BILL 352

F1, F2, P1

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By: **Delegates Kaiser, Barkley, Cardin, Carr, Feldman, Frick, Healey, Hecht, Ivey, Manno, Montgomery, Morhaim, Olszewski, Shewell, Stukes, and F. Turner**

Introduced and read first time: January 27, 2010

Assigned to: Ways and Means and Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Data Warehouse Council**

3 FOR the purpose of establishing the Maryland Data Warehouse Council; providing for  
4 the membership and duties of the Council; specifying that the Council is an  
5 advisory body only and is not empowered to make final decisions regarding  
6 policy; providing for the leadership and staffing of the Council; requiring the  
7 Council to hold a certain number of meetings each year; requiring the Council to  
8 establish an advisory panel; specifying the Council’s goals; requiring the Council  
9 to make an annual report to the Governor on certain matters and to publish a  
10 list of written reports available from the Council; and generally relating to the  
11 Maryland Data Warehouse Council.

12 BY adding to

13 Article – Education

14 Section 1–301 through 1–309 to be under the new subtitle “Subtitle 3. Maryland  
15 Data Warehouse Council”

16 Annotated Code of Maryland

17 (2008 Replacement Volume and 2009 Supplement)

18 Preamble

19 WHEREAS, Every child in Maryland deserves a world class education; and

20 WHEREAS, The State is developing a coordinated prekindergarten through  
21 postsecondary education system that focuses on raising the level of excellence for all  
22 students by closing the student achievement gap that exists among the diverse  
23 student populations within the State and between students in this State and students  
24 in other states and countries; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, There is a need for an effective prekindergarten through  
2 postsecondary education data system that identifies factors that help increase student  
3 success at every level of the education system by providing students, educators, policy  
4 makers, and the citizens of the State with useful and timely reports that can improve  
5 both practice and policy; and

6 WHEREAS, An effective prekindergarten through postsecondary education data  
7 system requires close coordination and communication among State agencies, public  
8 schools, higher education institutions, and other entities that address and serve the  
9 State's children from birth through their formal educational experiences and on to  
10 their entrance into the workforce; and

11 WHEREAS, The State and its children and youth are best served when State  
12 agencies and educational institutions share a common vision, a spirit of cooperation,  
13 and a sense of shared responsibility; now, therefore,

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

16 **Article – Education**

17 **SUBTITLE 3. MARYLAND DATA WAREHOUSE COUNCIL.**

18 **1–301.**

19 **IN THIS SUBTITLE, “COUNCIL” MEANS THE MARYLAND DATA**  
20 **WAREHOUSE COUNCIL.**

21 **1–302.**

22 **(A) THERE IS A MARYLAND DATA WAREHOUSE COUNCIL.**

23 **(B) (1) THE COUNCIL IS AN ADVISORY BODY THAT MAKES**  
24 **RECOMMENDATIONS TO THE GOVERNOR.**

25 **(2) THE COUNCIL MAY NOT MAKE FINAL DECISIONS REGARDING**  
26 **POLICY.**

27 **1–303.**

28 **(A) THE COUNCIL CONSISTS OF THE FOLLOWING MEMBERS:**

29 **(1) THE STATE SUPERINTENDENT, OR THE STATE**  
30 **SUPERINTENDENT’S DESIGNEE;**

1           **(2) THE SECRETARY OF HIGHER EDUCATION, OR THE**  
2 **SECRETARY'S DESIGNEE;**

3           **(3) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S OFFICE**  
4 **FOR CHILDREN, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;**

5           **(4) THE ASSISTANT SECRETARY OF WORKFORCE DEVELOPMENT**  
6 **IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION, OR THE**  
7 **ASSISTANT SECRETARY'S DESIGNEE;**

8           **(5) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE**  
9 **SECRETARY'S DESIGNEE;**

10           **(6) THE SECRETARY OF BUSINESS AND ECONOMIC**  
11 **DEVELOPMENT, OR THE SECRETARY'S DESIGNEE;**

12           **(7) THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE**  
13 **SECRETARY'S DESIGNEE;**

14           **(8) THE SECRETARY OF HUMAN RESOURCES, OR THE**  
15 **SECRETARY'S DESIGNEE;**

16           **(9) THE SECRETARY OF HEALTH AND MENTAL HYGIENE, OR THE**  
17 **SECRETARY'S DESIGNEE;**

18           **(10) A REPRESENTATIVE FROM THE OFFICE OF THE GOVERNOR,**  
19 **SELECTED BY THE GOVERNOR;**

20           **(11) THE PRESIDENTS OF THREE INSTITUTIONS OF**  
21 **POSTSECONDARY EDUCATION IN THE STATE SELECTED BY THE GOVERNOR, OR**  
22 **A PRESIDENT'S DESIGNEE; AND**

23           **(12) THE COUNTY SUPERINTENDENTS OF THREE LOCAL SCHOOL**  
24 **SYSTEMS IN THE STATE SELECTED BY THE GOVERNOR, OR A COUNTY**  
25 **SUPERINTENDENT'S DESIGNEE.**

26           **(B) A MEMBER OF THE COUNCIL:**

27           **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
28 **COUNCIL; BUT**

29           **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
30 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**  
31 **BUDGET.**

1 **1-304.**

2 THE COUNCIL MAY CONVENE AS FREQUENTLY AS IT DETERMINES IS  
3 NECESSARY TO ACCOMPLISH THE OBJECTIVES OF THE COUNCIL, BUT NO LESS  
4 THAN 6 TIMES A YEAR.

5 **1-305.**

6 THE STATE SUPERINTENDENT AND THE SECRETARY OF HIGHER  
7 EDUCATION SHALL SERVE AS COCHAIRS OF THE COUNCIL.

8 **1-306.**

9 THE DEPARTMENT AND THE MARYLAND HIGHER EDUCATION  
10 COMMISSION SHALL PROVIDE ADMINISTRATIVE AND STAFF SUPPORT TO THE  
11 COUNCIL.

12 **1-307.**

13 (A) THE COUNCIL SHALL ESTABLISH AN ADVISORY PANEL TO PROVIDE  
14 INDEPENDENT REVIEW OF THE TECHNICAL FEASIBILITY OF POLICIES,  
15 PROPOSALS, AND GUIDELINES UNDER CONSIDERATION FOR ADOPTION BY THE  
16 COUNCIL.

17 (B) THE ADVISORY PANEL SHALL HAVE NO FEWER THAN 7 AND NO  
18 MORE THAN 10 MEMBERS.

19 (C) A MEMBER OF THE ADVISORY PANEL:

20 (1) MAY NOT BE EMPLOYED BY THE FEDERAL OR STATE  
21 GOVERNMENT OR A LOCAL GOVERNMENT IN THE STATE;

22 (2) SHALL HAVE ACKNOWLEDGED EXPERTISE IN INFORMATION  
23 TECHNOLOGY, COMPUTER SCIENCE, OR COMPUTER OR SOFTWARE  
24 ENGINEERING; AND

25 (3) MAY NOT HAVE A CONFLICT OF INTEREST WITH ANY MATTER  
26 UNDER CONSIDERATION BY THE COUNCIL OR ANY ACTIVITY IN WHICH THE  
27 COUNCIL IS ENGAGED.

28 (D) THE COUNCIL SHALL ADOPT A CHARTER FOR THE ADVISORY PANEL  
29 TO GOVERN ITS MEMBERSHIP, FUNCTIONS, AND ORGANIZATION.

1 **1-308.**

2 **THE COUNCIL'S GOALS SHALL INCLUDE:**

3 **(1) IDENTIFYING WAYS TO IMPROVE STUDENT SUCCESS AT ALL**  
4 **LEVELS OF THE EDUCATION SYSTEM FROM PREKINDERGARTEN THROUGH**  
5 **POSTSECONDARY EDUCATION AND IN THE WORKFORCE;**

6 **(2) PROVIDING TEACHERS, PRINCIPALS, PARENTS, AND OTHER**  
7 **STAKEHOLDERS WITH TIMELY DATA THAT WILL HELP IMPROVE STUDENT**  
8 **ACHIEVEMENT AT ALL LEVELS OF THE EDUCATION SYSTEM; AND**

9 **(3) PROVIDING THE GOVERNOR AND OTHER POLICY MAKERS**  
10 **WITH DATA THAT CAN HELP IMPROVE THE ALIGNMENT, EFFECTIVENESS, AND**  
11 **EFFICIENCY OF PREKINDERGARTEN THROUGH POSTSECONDARY EDUCATION IN**  
12 **THE STATE.**

13 **1-309.**

14 **(A) THE COUNCIL SHALL:**

15 **(1) ESTABLISH A LONGITUDINAL DATA SYSTEM THAT MEETS THE**  
16 **REQUIREMENTS OF P.L. 111-5, THE FEDERAL AMERICAN RECOVERY AND**  
17 **REINVESTMENT ACT OF 2009, AND ENSURE THAT THE STATE COMPLIES WITH**  
18 **THE COLLECTION AND USE OF DATA AND OTHER EDUCATION REFORM**  
19 **ASSURANCES CONTAINED IN THE ACT;**

20 **(2) DEVELOP A HIGH-QUALITY STATEWIDE PROPOSAL FOR**  
21 **TIMELY SUBMISSION TO THE U.S. DEPARTMENT OF EDUCATION FOR A GRANT**  
22 **TO DEVELOP A STATEWIDE DATA SYSTEM;**

23 **(3) CREATE A MANAGEMENT PLAN THAT ASSIGNS AUTHORITY**  
24 **AND RESPONSIBILITY FOR THE OPERATION OF A DATA WAREHOUSE AMONG THE**  
25 **AGENCIES WHOSE DATA WILL BE INCLUDED IN THE DATA WAREHOUSE;**

26 **(4) ASSIST THE AGENCIES WHOSE DATA WILL BE INCLUDED IN**  
27 **THE DATA WAREHOUSE IN DEVELOPING INTERAGENCY AGREEMENTS THAT**  
28 **ENABLE DATA TO BE USED ACROSS AND BETWEEN AGENCIES, DEFINE**  
29 **APPROPRIATE USES OF DATA, ASSURE RESEARCHER ACCESS TO DATA, AND**  
30 **ASSURE THE SECURITY OF THE DATA SYSTEM;**

31 **(5) DEVELOP A STRATEGIC PLAN FOR THE DATA WAREHOUSE**  
32 **INCLUDING POLICIES TO ENSURE:**

1 (I) EFFECTIVE AND TIMELY DATA USE;

2 (II) DESCRIPTIONS OF THE REPORTS THAT HELP IMPROVE  
3 STUDENT SUCCESS AT EVERY LEVEL OF THE PREKINDERGARTEN THROUGH  
4 POSTSECONDARY EDUCATION SYSTEM;

5 (III) TRAINING AND PROFESSIONAL DEVELOPMENT FOR  
6 USERS OF THE DATA WAREHOUSE; AND

7 (IV) APPROPRIATE MEASURES TO SAFEGUARD THE  
8 CONFIDENTIALITY OF PERSONALLY IDENTIFIABLE STUDENT AND EDUCATOR  
9 DATA; AND

10 (6) REMOVE BARRIERS, PROVIDE GUIDANCE AND OVERSIGHT,  
11 AND ENSURE THAT APPROPRIATE STATE AGENCIES PRODUCE TIMELY AND  
12 USABLE REPORTS, INCLUDING REPORTS THAT:

13 (I) CONNECT STUDENT RECORDS FROM  
14 PREKINDERGARTEN THROUGH POSTGRADUATE EDUCATION AND INTO  
15 THE WORKFORCE;

16 (II) CONNECT PUBLIC SCHOOL EDUCATOR DATA TO  
17 STUDENT DATA;

18 (III) REPORT HIGH SCHOOL LONGITUDINAL GRADUATION  
19 AND DROPOUT DATA, INCLUDING INFORMATION THAT DISTINGUISHES  
20 BETWEEN:

21 1. DROPOUTS OR STUDENTS WHOSE WHEREABOUTS  
22 ARE UNKNOWN; AND

23 2. STUDENTS WHO HAVE TRANSFERRED;

24 (IV) PROVIDE POSTSECONDARY REMEDIATION DATA;

25 (V) REPORT TO PUBLIC HIGH SCHOOLS IN THE STATE ON  
26 THEIR STUDENTS WHO ENROLL IN A PUBLIC INSTITUTION OF HIGHER  
27 EDUCATION IN THE STATE REGARDING FRESHMAN-YEAR OUTCOMES;

28 (VI) PROVIDE POSTSECONDARY EDUCATION STUDENT  
29 COMPLETION STATUS;

30 (VII) CONNECT PERFORMANCE WITH FINANCIAL  
31 INFORMATION AT ALL LEVELS OF EDUCATION;

1                   **(VIII) ESTABLISH AND MAINTAIN A STATE DATA AUDIT**  
2 **SYSTEM TO ASSESS THE QUALITY, VALIDITY, AND RELIABILITY OF DATA; AND**

3                   **(IX) PROVIDE ANY OTHER STUDENT AND EDUCATOR DATA**  
4 **NECESSARY TO ASSESS THE PERFORMANCE OF THE PREKINDERGARTEN**  
5 **THROUGH POSTSECONDARY EDUCATION SYSTEM.**

6           **(B) ON OR BEFORE DECEMBER 31 EACH YEAR, THE COUNCIL SHALL:**

7                   **(1) REPORT TO THE GOVERNOR ON THE PROGRESS AND STATUS**  
8 **OF THE COUNCIL; AND**

9                   **(2) PUBLISH A LIST OF ANY WRITTEN REPORTS AVAILABLE FROM**  
10 **THE COUNCIL.**

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2010.