

SENATE BILL 275

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CF 0lr0170

By: **The President (By Request – Administration) and Senators Pinsky and King**

Introduced and read first time: January 22, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Longitudinal Data System**

3 FOR the purpose of establishing the Maryland Longitudinal Data System as a
4 statewide data system containing certain student data from all levels of
5 education and into the State’s workforce; establishing the purpose of the
6 Maryland Longitudinal Data System; establishing the Maryland Longitudinal
7 Data System Center as an independent unit of State government; providing for
8 the organizational placement, location, staffing, and funding of the Center;
9 providing for the functions and duties of the Center; establishing the Governing
10 Board of the Maryland Longitudinal Data System Center; providing for the
11 membership of the Governing Board; providing for the appointment and terms
12 for certain members of the Governing Board; providing for the duties of the
13 Governing Board; requiring certain agencies and public institutions to make
14 certain efforts to comply with certain requirements for the Maryland
15 Longitudinal Data System; authorizing private institutions of higher education
16 and private secondary schools to provide student data for the Maryland
17 Longitudinal Data System; requiring the Governing Board to issue certain
18 reports; defining certain terms; and generally relating to the establishment of
19 the Maryland Longitudinal Data System.

20 BY adding to

21 Article – Education

22 Section 24–701 through 24–706 to be under the new subtitle “Subtitle 7.
23 Maryland Longitudinal Data System”

24 Annotated Code of Maryland

25 (2008 Replacement Volume and 2009 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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Article – Education

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SUBTITLE 7. MARYLAND LONGITUDINAL DATA SYSTEM.

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24-701.

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(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

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(B) “CENTER” MEANS THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER.

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(C) “DE-IDENTIFIED DATA” MEANS A DATA SET IN WHICH PARENT AND STUDENT IDENTITY INFORMATION, INCLUDING THE STATE ASSIGNED STUDENT IDENTIFIER AND STUDENT SOCIAL SECURITY NUMBER, HAS BEEN REMOVED.

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(D) “GOVERNING BOARD” MEANS THE GOVERNING BOARD OF THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER.

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(E) “STATE ASSIGNED STUDENT IDENTIFIER” OR “SASID” MEANS THE IDENTIFIER ASSIGNED TO EACH STUDENT BY:

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(1) A LOCAL EDUCATION AGENCY BASED ON THE IDENTIFIER SYSTEM DEVELOPED BY THE STATE DEPARTMENT OF EDUCATION; OR

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(2) AN INSTITUTION OF HIGHER EDUCATION, IF THE STUDENT HAS NOT BEEN ASSIGNED AN IDENTIFIER BY A LOCAL EDUCATION AGENCY.

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24-702.

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(A) THE STATE DEPARTMENT OF EDUCATION, MARYLAND HIGHER EDUCATION COMMISSION, UNIVERSITY SYSTEM OF MARYLAND, MORGAN STATE UNIVERSITY, ST. MARY’S COLLEGE OF MARYLAND, AND DEPARTMENT OF LABOR, LICENSING, AND REGULATION JOINTLY SHALL ESTABLISH THE MARYLAND LONGITUDINAL DATA SYSTEM THAT SHALL BE FULLY OPERATIONAL BY DECEMBER 31, 2014.

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(B) THE MARYLAND LONGITUDINAL DATA SYSTEM IS A STATEWIDE DATA SYSTEM THAT CONTAINS INDIVIDUAL-LEVEL STUDENT DATA FROM ALL LEVELS OF EDUCATION AND THE STATE’S WORKFORCE, AND ALLOWS USERS TO:

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(1) EFFECTIVELY ORGANIZE, MANAGE, DISAGGREGATE, AND ANALYZE INDIVIDUAL STUDENT DATA; AND

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1 **(2) EXAMINE STUDENT PROGRESS AND OUTCOMES OVER TIME,**
2 **INCLUDING PREPARATION FOR POSTSECONDARY EDUCATION AND THE**
3 **WORKFORCE.**

4 **(C) THE PURPOSE OF THE MARYLAND LONGITUDINAL DATA SYSTEM IS**
5 **TO:**

6 **(1) FACILITATE AND ENABLE THE EXCHANGE OF STUDENT DATA**
7 **AMONG AGENCIES AND INSTITUTIONS WITHIN THE STATE; AND**

8 **(2) GENERATE TIMELY AND ACCURATE INFORMATION ABOUT**
9 **STUDENT ACHIEVEMENT THAT CAN BE USED TO IMPROVE THE STATE'S**
10 **EDUCATION SYSTEM AND GUIDE DECISION MAKERS AT ALL LEVELS.**

11 **24-703.**

12 **(A) THERE IS A MARYLAND LONGITUDINAL DATA SYSTEM CENTER.**

13 **(B) THE CENTER IS AN INDEPENDENT UNIT WITHIN STATE**
14 **GOVERNMENT.**

15 **(C) THE ORGANIZATIONAL PLACEMENT AND LOCATION OF THE CENTER**
16 **SHALL BE DETERMINED BY THE GOVERNING BOARD.**

17 **(D) (1) THE HEAD OF THE CENTER IS THE EXECUTIVE DIRECTOR,**
18 **WHO SHALL BE APPOINTED BY THE GOVERNING BOARD.**

19 **(2) THE CENTER MAY EMPLOY THE ADDITIONAL STAFF**
20 **NECESSARY TO CARRY OUT THE CENTER'S FUNCTIONS AS PROVIDED IN THE**
21 **STATE BUDGET.**

22 **(E) THE CENTER SHALL PERFORM THE FOLLOWING FUNCTIONS AND**
23 **DUTIES:**

24 **(1) SERVE AS A CENTRAL REPOSITORY OF THE DATA IN THE**
25 **MARYLAND LONGITUDINAL DATA SYSTEM, INCLUDING DATA SETS PROVIDED**
26 **BY:**

27 **(I) THE STATE DEPARTMENT OF EDUCATION;**

28 **(II) LOCAL EDUCATION AGENCIES;**

29 **(III) THE MARYLAND HIGHER EDUCATION COMMISSION;**

1 (IV) INSTITUTIONS OF HIGHER EDUCATION;

2 (V) THE DEPARTMENT OF LABOR, LICENSING, AND
3 REGULATION; AND

4 (VI) THE GOVERNOR'S WORKFORCE INVESTMENT BOARD;

5 (2) OVERSEE AND MAINTAIN THE WAREHOUSE OF THE
6 MARYLAND LONGITUDINAL DATA SYSTEM DATA SETS;

7 (3) ENSURE ROUTINE AND ONGOING COMPLIANCE WITH THE
8 FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT AND OTHER
9 RELEVANT PRIVACY LAWS AND POLICIES, INCLUDING:

10 (I) THE REQUIRED USE OF DE-IDENTIFIED DATA IN DATA
11 RESEARCH AND REPORTING;

12 (II) THE REQUIRED DISPOSITION OF INFORMATION THAT IS
13 NO LONGER NEEDED;

14 (III) PROVIDING DATA SECURITY; AND

15 (IV) IMPLEMENTING GUIDELINES AND POLICIES THAT
16 PREVENT THE REPORTING OF OTHER POTENTIALLY IDENTIFYING DATA;

17 (4) PERFORM RESEARCH USING TIMELY AND ACCURATE
18 STUDENT ACHIEVEMENT DATA TO IMPROVE THE STATE'S EDUCATION SYSTEM
19 AND GUIDE DECISION MAKING BY STATE AND LOCAL GOVERNMENTS,
20 EDUCATIONAL AGENCIES, INSTITUTIONS, TEACHERS, AND OTHER EDUCATION
21 PROFESSIONALS;

22 (5) FACILITATE STATE AND FEDERAL EDUCATION REPORTING
23 WITH EXISTING STATE AGENCIES AS APPROPRIATE; AND

24 (6) FULFILL APPROVED PUBLIC INFORMATION REQUESTS.

25 (F) THE CENTER MAY RECEIVE FUNDING FROM THE FOLLOWING
26 SOURCES:

27 (1) STATE APPROPRIATIONS;

28 (2) GRANTS OR OTHER ASSISTANCE FROM LOCAL EDUCATION
29 AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION;

1 **(3) FEDERAL GRANTS;**

2 **(4) USER FEES; AND**

3 **(5) ANY OTHER GRANTS OR CONTRIBUTIONS FROM PUBLIC OR**
4 **PRIVATE ENTITIES RECEIVED BY THE CENTER.**

5 **24-704.**

6 **(A) THERE IS A GOVERNING BOARD OF THE CENTER.**

7 **(B) THE GOVERNING BOARD SHALL INCLUDE THE FOLLOWING**
8 **MEMBERS:**

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

11 **(2) THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF**
12 **MARYLAND, OR THE CHANCELLOR'S DESIGNEE;**

13 **(3) THE PRESIDENT OF MORGAN STATE UNIVERSITY, OR THE**
14 **PRESIDENT'S DESIGNEE;**

15 **(4) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE**
16 **SUPERINTENDENT'S DESIGNEE;**

17 **(5) THE SECRETARY OF LABOR, LICENSING, AND REGULATION,**
18 **OR THE SECRETARY'S DESIGNEE;**

19 **(6) A REPRESENTATIVE OF LOCAL SUPERINTENDENTS OF**
20 **SCHOOLS, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF**
21 **THE SENATE;**

22 **(7) A REPRESENTATIVE OF COMMUNITY COLLEGES, APPOINTED**
23 **BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; AND**

24 **(8) FOUR MEMBERS OF THE PUBLIC, APPOINTED BY THE**
25 **GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE.**

26 **(C) ONE OF THE PUBLIC MEMBERS OF THE GOVERNING BOARD SHALL**
27 **HAVE EXPERTISE IN LARGE DATA SYSTEMS.**

28 **(D) THE GOVERNOR SHALL APPOINT A CHAIR OF THE GOVERNING**
29 **BOARD FROM AMONG ITS MEMBERS.**

1 **(E) A MEMBER APPOINTED BY THE GOVERNOR:**

2 **(1) SERVES AT THE PLEASURE OF THE GOVERNOR;**

3 **(2) SERVES FOR A TERM OF 3 YEARS AND UNTIL A SUCCESSOR IS**
4 **APPOINTED AND QUALIFIES; AND**

5 **(3) MAY BE REAPPOINTED BUT MAY NOT SERVE MORE THAN TWO**
6 **CONSECUTIVE TERMS.**

7 **(F) A MEMBER OF THE GOVERNING BOARD:**

8 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
9 **GOVERNING BOARD; BUT**

10 **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**
11 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**
12 **BUDGET.**

13 **(G) THE GOVERNING BOARD SHALL:**

14 **(1) ESTABLISH THE ORGANIZATIONAL PLACEMENT AND**
15 **LOCATION OF THE CENTER AFTER SEEKING AND EVALUATING PROPOSALS**
16 **FROM INTERESTED ENTITIES BASED ON CRITERIA THAT SHALL INCLUDE:**

17 **(I) THE ABILITY OF THE ENTITY TO SUPPORT THE**
18 **OPERATION OF A LARGE DATA SYSTEM;**

19 **(II) STRENGTH OF FUNDING SUPPORT; AND**

20 **(III) EXPERTISE IN DATA SECURITY;**

21 **(2) DEVELOP AN IMPLEMENTATION PLAN TO PHASE IN THE**
22 **ESTABLISHMENT AND OPERATION OF THE MARYLAND LONGITUDINAL DATA**
23 **SYSTEM AND THE CENTER;**

24 **(3) PROVIDE GENERAL OVERSIGHT AND DIRECTION TO THE**
25 **CENTER;**

26 **(4) APPROVE THE ANNUAL BUDGET FOR THE CENTER;**

27 **(5) ESTABLISH THE POLICY AND RESEARCH AGENDA OF THE**
28 **CENTER;**

1 **(6) DEVELOP AND OVERSEE POLICIES TO COMPLY WITH THE**
2 **FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT AND ANY OTHER**
3 **PRIVACY MEASURES, AS REQUIRED BY LAW OR THE GOVERNING BOARD;**

4 **(7) DESIGNATE A STANDARD AND COMPLIANCE TIMELINE FOR**
5 **ELECTRONIC TRANSCRIPTS THAT INCLUDES THE USE OF SASID TO ENSURE**
6 **THE UNIFORM AND EFFICIENT TRANSFER OF STUDENT DATA BETWEEN LOCAL**
7 **EDUCATION AGENCIES AND INSTITUTIONS OF HIGHER EDUCATION; AND**

8 **(8) REVIEW RESEARCH REQUIREMENTS AND SET POLICIES FOR**
9 **DATA REQUESTS FROM STATE AND LOCAL AGENCIES, THE MARYLAND**
10 **GENERAL ASSEMBLY, AND THE PUBLIC.**

11 **24-705.**

12 **(A) LOCAL EDUCATION AGENCIES, COMMUNITY COLLEGES, PUBLIC**
13 **SENIOR HIGHER EDUCATION INSTITUTIONS, AND STATE AGENCIES SHALL MAKE**
14 **EVERY EFFORT TO COMPLY WITH THE DATA REQUIREMENTS AND**
15 **IMPLEMENTATION SCHEDULE FOR THE MARYLAND LONGITUDINAL DATA**
16 **SYSTEM AS SET FORTH BY THE GOVERNING BOARD.**

17 **(B) PRIVATE INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE**
18 **SECONDARY SCHOOLS MAY PROVIDE STUDENT DATA TO THE MARYLAND**
19 **LONGITUDINAL DATA SYSTEM.**

20 **24-706.**

21 **(A) THE GOVERNING BOARD SHALL REPORT TO THE GOVERNOR AND,**
22 **IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE**
23 **GENERAL ASSEMBLY ON OR BEFORE DECEMBER 15 OF EACH YEAR.**

24 **(B) THE REPORT SHALL INCLUDE AN UPDATE ON THE**
25 **IMPLEMENTATION OF THE MARYLAND LONGITUDINAL DATA SYSTEM AND THE**
26 **CENTER'S ACTIVITIES DURING THE PRECEDING YEAR, AND ANY**
27 **RECOMMENDATIONS MADE BY THE GOVERNING BOARD.**

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 July 1, 2010.