SENATE BILL 978

F2, F1, K3

8lr1153
CF HB 1216

By: **Senators Klausmeier, Rosapepe, Benson, Currie, Ferguson, Guzzone, Kelley, Madaleno, Middleton, Muse, Peters, Ramirez, Smith, and Young**
Introduced and read first time: February 5, 2018
Assigned to: Education, Health, and Environmental Affairs and Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 16, 2018

CHAPTER _____

1 AN ACT concerning

2 **Career Preparation Expansion Act**

3 FOR the purpose of ~~requiring the Department of Labor, Licensing, and Regulation to~~
4 ~~develop a certain mobile application; providing for the purpose of the mobile~~
5 ~~application; authorizing a student or a student's parent or guardian to release~~
6 ~~certain information to the Department for inclusion in the mobile application;~~
7 ~~prohibiting the release of certain information without certain permission;~~
8 ~~authorizing the Department to contract with a third party to develop the mobile~~
9 ~~application; requiring the Department to adopt certain regulations;~~ authorizing a
10 student or a student's parent or guardian to release the student's Armed Services
11 Vocational Aptitude Battery score to certain apprenticeship programs and certain
12 employers; requiring the State Department of Education to adopt certain regulations
13 to require the award of credit toward high school graduation requirements for time
14 spent in certain apprenticeship programs; requiring the Maryland Department of
15 Health and the Department of Labor, Licensing, and Regulation to provide the
16 Maryland Higher Education Commission with certain information; requiring the
17 Commission to collect certain information from institutions of postsecondary
18 education; requiring industry certifiers who receive State funds to provide the
19 Commission with certain information; requiring the Commission to provide certain
20 information to the Maryland Longitudinal Data System Center for a certain purpose;
21 requiring the Commission to adopt certain regulations; providing that a workforce
22 development sequence includes a certain apprenticeship program; authorizing a
23 Workforce Development Sequence Scholarship to be used for costs to participate in
24 a certain apprenticeship program; altering a certain reporting requirement for the

1   Workforce Development Sequence Scholarship program; requiring the Maryland
2   Longitudinal Data System Center and the Governor's Workforce Development Board
3   to report certain information to the Governor and the General Assembly on or before
4   a certain date each year; ~~requiring the Secretary of Labor, Licensing, and Regulation~~
5   ~~to require certain information from each employing unit;~~ defining certain terms; and
6   generally relating to the collection of education and workforce information.

7   ~~BY adding to~~
8   ~~Article – Business Regulation~~
9   ~~Section 2–111~~
10   ~~Annotated Code of Maryland~~
11   ~~(2015 Replacement Volume and 2017 Supplement)~~

12   BY repealing and reenacting, with amendments,
13   Article – Education
14   Section 7–111(c), 18–3301(c), 18–3303(b), and 18–3304
15   Annotated Code of Maryland
16   (2014 Replacement Volume and 2017 Supplement)

17   BY repealing and reenacting, without amendments,
18   Article – Education
19   Section 7–205.1(a), 18–3301(a), 18–3302, and 24–702
20   Annotated Code of Maryland
21   (2014 Replacement Volume and 2017 Supplement)

22   BY adding to
23   Article – Education
24   Section 7–205.1(f); 11–1401 through 11–1406 to be under the new subtitle "Subtitle
25   14. Collection of Identifying Information on Certificates and Licenses"; and
26   21–205
27   Annotated Code of Maryland
28   (2014 Replacement Volume and 2017 Supplement)

29   ~~BY repealing and reenacting, with amendments,~~
30   ~~Article – Labor and Employment~~
31   ~~Section 8–626~~
32   ~~Annotated Code of Maryland~~
33   ~~(2016 Replacement Volume and 2017 Supplement)~~

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

36   **~~Article – Business Regulation~~**

37   ~~2–111.~~

1 ~~(A) IN THIS SECTION, "CTSO" MEANS A CAREER TECHNOLOGY STUDENT~~
2 ~~ORGANIZATION AND INCLUDES THE FOLLOWING ORGANIZATIONS:~~

3 ~~(1) DECA;~~

4 ~~(2) FFA;~~

5 ~~(3) FUTURE BUSINESS LEADERS OF AMERICA PHI BETA LAMBDA~~
6 ~~(FBLA–PBL); AND~~

7 ~~(4) SKILLSUSA.~~

8 ~~(B) SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT~~
9 ~~SHALL DEVELOP A MOBILE APPLICATION CONTAINING THE CURRICULUM VITAE FOR~~
10 ~~EACH STUDENT WHO IS A MEMBER OF A CTSO.~~

11 ~~(C) THE PURPOSE OF THE MOBILE APPLICATION DEVELOPED UNDER THIS~~
12 ~~SECTION IS TO TARGET EMPLOYERS IN INDUSTRIES WHERE INDUSTRY SKILLS ALIGN~~
13 ~~WITH THE SKILLS DEVELOPED THROUGH MEMBERSHIP IN THE CTSO.~~

14 ~~(D) (1) A STUDENT OR A STUDENT'S PARENT OR GUARDIAN MAY CHOOSE~~
15 ~~TO RELEASE THE STUDENT'S PERSONAL INFORMATION TO THE DEPARTMENT FOR~~
16 ~~INCLUSION IN THE MOBILE APPLICATION.~~

17 ~~(2) THE DEPARTMENT MAY NOT RELEASE THE INFORMATION OF A~~
18 ~~STUDENT MEMBER OF A CTSO WITHOUT PERMISSION FROM THE STUDENT OR THE~~
19 ~~STUDENT'S PARENT OR GUARDIAN.~~

20 ~~(E) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO DEVELOP~~
21 ~~THE MOBILE APPLICATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.~~

22 ~~(F) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO CARRY~~
23 ~~OUT THIS SECTION.~~

24 **Article – Education**

25 7–111.

26 (c) (1) In this subsection, "ASVAB" means the Armed Services Vocational
27 Aptitude Battery.

28 (2) Each public school in the State that administers the ASVAB shall
29 choose "Option 8" as the score reporting option for military recruiter contact to prohibit the
30 general release of any student information to military recruiters.

1   (3)   Each public school that administers the ASVAB shall:

2   (i)   Send a written notice to the ASVAB representative coordinating
3   the school's administration of the ASVAB of the requirement set forth in paragraph (2) of
4   this subsection; and

5   (ii)   Notify students taking the ASVAB and the parent or guardian of
6   students taking the ASVAB of the release of student information requirements set forth in
7   paragraphs (2) and (4) of this subsection.

8   (4)   A student or a student's parent or guardian may choose to release the
9   student's personal information and ASVAB scores **[**to recruiting representatives of the
10   military services**]** by individually submitting the required forms to the military services
11   authorizing the release of the information **TO:**

12   **(I)   RECRUITING REPRESENTATIVES OF THE MILITARY**
13   **SERVICES;**

14   **(II)   REGISTERED APPRENTICESHIP PROGRAMS;**

15   **(III)   YOUTH APPRENTICESHIP PROGRAMS UNDER TITLE 18,**
16   **SUBTITLE 18 OF THIS ARTICLE; AND**

17   **(IV)   EMPLOYERS REGISTERED WITH:**

18   **1.   THE DEPARTMENT OF LABOR, LICENSING, AND**
19   **REGULATION; OR**

20   **2.   LOCAL WORKFORCE DEVELOPMENT BOARDS.**

21   7–205.1.

22   (a)   The State Board shall establish high school curriculum and graduation
23   requirements for all public schools in accordance with this section.

24   **(F)   THE DEPARTMENT SHALL ADOPT REGULATIONS TO REQUIRE THE**
25   **AWARD OF CREDIT TOWARD HIGH SCHOOL GRADUATION REQUIREMENTS FOR THE**
26   **TIME A STUDENT SPENDS PARTICIPATING IN:**

27   **(1)   A REGISTERED APPRENTICESHIP PROGRAM APPROVED BY THE**
28   **DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING WITHIN THE**
29   **DEPARTMENT OF LABOR, LICENSING, AND REGULATION; OR**

30   **(2)   A YOUTH APPRENTICESHIP PROGRAM UNDER TITLE 18,**
31   **SUBTITLE 18 OF THIS ARTICLE.**

1   **SUBTITLE 14. COLLECTION OF IDENTIFYING INFORMATION ON CERTIFICATES**
2   **AND LICENSES.**

3   **11–1401.**

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

6   **(B)**   "BUSINESS LICENSE" MEANS ANY LICENSE ISSUED TO AN INDIVIDUAL
7 UNDER THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE, THE BUSINESS
8 REGULATION ARTICLE, OR THE HEALTH OCCUPATIONS ARTICLE.

9   **(C)**   "IDENTIFYING INFORMATION" INCLUDES:

10   **(1)**   DEMOGRAPHIC INFORMATION; AND

11   **(2)**   IF APPLICABLE, STUDENT INFORMATION ABOUT:

12   **(I)**   PROGRAM SEQUENCES TAKEN;

13   **(II)**   START AND END DATES OF ENROLLMENT;

14   **(III)**   PROGRAM COMPLETION STATUS; AND

15   **(IV)**   CREDENTIALS EARNED.

16   **(D)**   **(1)**   "INDUSTRY CERTIFICATE" MEANS A CERTIFICATE OR LICENSE
17 AWARDED BY AN INDUSTRY CERTIFIER THAT PREPARES AN INDIVIDUAL TO WORK IN
18 A CAREER FIELD.

19   **(2)**   "INDUSTRY CERTIFICATE" DOES NOT INCLUDE A BUSINESS
20 LICENSE OR VOCATIONAL CERTIFICATE.

21   **(E)**   "INDUSTRY CERTIFIER" MEANS A NATIONALLY RECOGNIZED,
22 THIRD–PARTY ENTITY USING PREDETERMINED STANDARDS FOR KNOWLEDGE AND
23 SKILLS TO TEACH INDIVIDUALS.

24   **(F)**   "VOCATIONAL CERTIFICATE" MEANS A CERTIFICATE OR LICENSE
25 AWARDED BY AN INSTITUTION OF POSTSECONDARY EDUCATION APPROVED TO
26 OPERATE UNDER § 11–202 OF THIS TITLE ON COMPLETION OF A COURSE OF STUDY,
27 INCLUDING CREDIT–BEARING AND NONCREDIT COURSES, THAT PREPARES AN
28 INDIVIDUAL TO WORK IN A CAREER FIELD.

29   **11–1402.**

1   THE MARYLAND DEPARTMENT OF HEALTH AND THE DEPARTMENT OF
2 LABOR, LICENSING, AND REGULATION SHALL PROVIDE THE COMMISSION WITH
3 IDENTIFYING INFORMATION FOR EACH HOLDER OF A BUSINESS LICENSE.

4 11–1403.

5   THE COMMISSION SHALL COLLECT IDENTIFYING INFORMATION ON EACH
6 STUDENT WHO HAS EARNED A VOCATIONAL CERTIFICATE FROM AN INSTITUTION OF
7 POSTSECONDARY EDUCATION IN THE STATE.

8 11–1404.

9   IF AN INDUSTRY CERTIFIER RECEIVES STATE FUNDS, THE INDUSTRY
10 CERTIFIER SHALL PROVIDE THE COMMISSION WITH IDENTIFYING INFORMATION ON
11 EACH INDIVIDUAL WHO HOLDS AN INDUSTRY CERTIFICATE AWARDED BY THE
12 INDUSTRY CERTIFIER.

13 11–1405.

14   THE COMMISSION SHALL PROVIDE THE MARYLAND LONGITUDINAL DATA
15 SYSTEM CENTER WITH THE IDENTIFYING INFORMATION COLLECTED UNDER THIS
16 SUBTITLE IN ORDER TO AID THE MARYLAND LONGITUDINAL DATA SYSTEM
17 CENTER'S GOAL UNDER § 24–702 OF THIS ARTICLE OF LINKING STUDENT DATA AND
18 WORKFORCE DATA.

19 11–1406.

20   THE COMMISSION SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT
21 THIS SUBTITLE.

22 18–3301.

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

24   (c)   (1)   "Workforce Development Sequence" means [a]:

25   (I)   A program offered by a community college that is approved by
26 the Commission and is composed of courses that are related to:

27   [(i)]   1.   Job preparation or an apprenticeship;

28   [(ii)] 2.   Licensure or certification; or

29   [(iii)] 3.   Job skill enhancement; OR

1   **(II)   A REGISTERED APPRENTICESHIP PROGRAM APPROVED BY**
2   **THE DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING IN THE**
3   **DEPARTMENT OF LABOR, LICENSING, AND REGULATION**.

4   (2)   "Workforce Development Sequence" does not include a sequence of
5   courses leading to an associate's or bachelor's degree.

6   18–3302.

7   There is a Workforce Development Sequence Scholarship administered by the Office.

8   18–3303.

9   (b)   An eligible student who receives a Workforce Development Sequence
10   Scholarship under this subtitle may use the award for tuition, mandatory fees, [and] other
11   associated costs of attendance, **OR COSTS TO PARTICIPATE IN A REGISTERED**
12   **APPRENTICESHIP PROGRAM**.

13   18–3304.

14   On or before December 1 each year, the Commission shall report to the General
15   Assembly, in accordance with § 2–1246 of the State Government Article, on:

16   (1)   The number of students who received a Workforce Development
17   Sequence Scholarship;

18   (2)   The amount of the award made to each recipient;

19   (3)   The community college that the recipient attended; [and]

20   (4)   The workforce development sequence in which the recipient enrolled**;**
21   **AND**

22   **(5)   THE REGISTERED APPRENTICESHIP PROGRAM IN WHICH THE**
23   **RECIPIENT PARTICIPATED**.

24   **21–205.**

25   **ON OR BEFORE DECEMBER 1 EACH YEAR, THE MARYLAND LONGITUDINAL**
26   **DATA SYSTEM CENTER AND THE GOVERNOR'S WORKFORCE DEVELOPMENT BOARD**
27   **SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2–1246 OF THE**
28   **STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE AVAILABLE DATA**
29   **FOR HIGH SCHOOL GRADUATES FOR THE 5–YEAR PERIOD AFTER GRADUATION ON:**

1   **(1)**   **WAGES EARNED;**

2   **(2)**   **HOURS WORKED PER WEEK; AND**

3   **(3)**   **THE INDUSTRY IN WHICH THE INDIVIDUALS ARE EMPLOYED.**

4   24–702.

5   (a)   The State Department of Education, Maryland Higher Education
6   Commission, University System of Maryland, Morgan State University, St. Mary's College
7   of Maryland, and Department of Labor, Licensing, and Regulation jointly shall establish
8   the Maryland Longitudinal Data System that shall be fully operational by December 31,
9   2014.

10   (b)   The Maryland Longitudinal Data System is a statewide data system that
11   contains individual–level student data and workforce data from all levels of education and
12   the State's workforce, and allows the Center to:

13   (1)   Effectively organize, manage, disaggregate, and analyze individual
14   student data; and

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

17   (c)   The linkage of student data and workforce data for the purposes of the
18   Maryland Longitudinal Data System shall be limited to no longer than 20 years from the
19   date of latest attendance in any educational institution in the State.

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

21   (1)   Generate timely and accurate information about student performance
22   that can be used to improve the State's education system and guide decision makers at all
23   levels; and

24   (2)   Facilitate and enable the linkage of student data and workforce data.

25   ~~**Article – Labor and Employment**~~

26   ~~8–626.~~

27   ~~(a)   For each calendar quarter, each employing unit shall submit to the Secretary~~
28   ~~a contribution and employment report on or before the date that the Secretary sets.~~

29   ~~(b)   An employing unit shall include in a contribution and employment report~~
30   ~~information that the Secretary requires.~~

1 ~~(c)~~ ~~(1)~~ ~~An employing unit that fails to submit a contribution and employment~~
2 ~~report under this section is subject to a penalty of $35 unless the Secretary waives the~~
3 ~~penalty for cause.~~

4 ~~(2)~~ ~~An employing unit that submits a check or other negotiable instrument~~
5 ~~in payment of any penalty under this subsection which is returned for insufficient funds is~~
6 ~~subject to an additional penalty of $25.~~

7 ~~**(D)**~~ ~~**(1)**~~ ~~**THE INFORMATION THAT THE SECRETARY REQUIRES UNDER**~~
8 ~~**SUBSECTION (B) OF THIS SECTION SHALL INCLUDE:**~~

9 ~~**(I)**~~ ~~**THE OCCUPATION AND JOB TITLE OF EACH EMPLOYEE;**~~

10 ~~**(II)**~~ ~~**THE NUMBER OF HOURS EACH EMPLOYEE HAS WORKED**~~
11 ~~**DURING THE CALENDAR QUARTER; AND**~~

12 ~~**(III)**~~ ~~**THE LOCATION AT WHICH THE EMPLOYEE WORKS.**~~

13 ~~**(2)**~~ ~~**THE LOCATION LISTED UNDER PARAGRAPH (1)(III) OF THIS**~~
14 ~~**SUBSECTION SHALL BE THE EMPLOYEE'S ACTUAL WORK SITE AND NOT THE**~~
15 ~~**EMPLOYING UNIT'S PLACE OF BUSINESS.**~~

16   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2018.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.