

# HOUSE BILL 1206

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By: **Delegates Kaiser, Cain, Feldmark, Guyton, Hornberger, Luedtke,  
Palakovich Carr, Patterson, and Rose**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means and Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Longitudinal Data System Center – Data Matching**

3 FOR the purpose of requiring each county board of education to convert certain student  
4 information into census tract and block numbers in a certain manner; requiring the  
5 State Department of Education to collect certain information from each county  
6 board; requiring the Department to provide certain information to the Maryland  
7 Longitudinal Data System Center; providing a certain exception to the prohibition  
8 that the Center may not release or sell certain information; requiring the Center and  
9 the Comptroller to jointly develop a certain protocol for the transfer and matching of  
10 certain information to produce certain aggregated information; requiring the Center  
11 and the Comptroller to jointly develop certain data privacy and security standards  
12 for the Comptroller to utilize for a certain protocol; requiring the Comptroller to  
13 comply with data privacy and security standards in a certain manner; requiring the  
14 Center to develop a certain protocol for county boards and the Department to convert  
15 and collect certain information; requiring the Governor to include a certain amount  
16 in the annual State budget in certain fiscal years; requiring the Comptroller to match  
17 certain information and produce certain aggregated data on average wage or salary  
18 earnings from certain individuals; defining certain terms; and generally relating to  
19 data matching by the Maryland Longitudinal Data System Center.

20 BY adding to

21 Article – Education

22 Section 4–113.1, 24–703.2, and 24–703.3

23 Annotated Code of Maryland

24 (2018 Replacement Volume and 2018 Supplement)

25 BY repealing and reenacting, without amendments,

26 Article – Education

27 Section 24–703(a) and (f)

28 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2018 Replacement Volume and 2018 Supplement)

2 BY repealing and reenacting, with amendments,  
3 Article – Education  
4 Section 24–703(g)  
5 Annotated Code of Maryland  
6 (2018 Replacement Volume and 2018 Supplement)

7 BY adding to  
8 Article – State Government  
9 Section 4–112  
10 Annotated Code of Maryland  
11 (2014 Replacement Volume and 2018 Supplement)

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

14 **Article – Education**

15 **4–113.1.**

16 **(A) EACH COUNTY BOARD SHALL CONVERT A STUDENT’S HOME ADDRESS**  
17 **AND GEOLOCATION INFORMATION INTO CENSUS TRACT AND BLOCK NUMBERS IN A**  
18 **MANNER AND FORMAT THAT ARE CONSISTENT WITH THE PROTOCOL DEVELOPED BY**  
19 **THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER UNDER § 24–703.3 OF THIS**  
20 **ARTICLE.**

21 **(B) THE DEPARTMENT SHALL COLLECT FROM EACH COUNTY BOARD**  
22 **CENSUS TRACT AND BLOCK NUMBER INFORMATION FOR EACH STUDENT IN THE**  
23 **COUNTY.**

24 **(C) THE DEPARTMENT SHALL PROVIDE THE MARYLAND LONGITUDINAL**  
25 **DATA SYSTEM CENTER WITH THE CENSUS TRACT AND BLOCK NUMBER**  
26 **INFORMATION COLLECTED UNDER THIS SECTION TO AID THE MARYLAND**  
27 **LONGITUDINAL DATA SYSTEM CENTER’S GOAL UNDER § 24–702 OF THIS ARTICLE**  
28 **OF LINKING STUDENT DATA AND WORKFORCE DATA.**

29 24–703.

30 (a) There is a Maryland Longitudinal Data System Center.

31 (f) The Center shall perform the following functions and duties:

32 (1) Serve as a central repository of student data and workforce data in the  
33 Maryland Longitudinal Data System, including data sets provided by:

- 1 (i) The State Department of Education;
- 2 (ii) Local education agencies;
- 3 (iii) The Maryland Higher Education Commission;
- 4 (iv) Institutions of higher education; and
- 5 (v) The Department of Labor, Licensing, and Regulation;
- 6 (2) Oversee and maintain the warehouse of the Maryland Longitudinal  
7 Data System data sets;
- 8 (3) Ensure routine and ongoing compliance with the federal Family  
9 Educational Rights and Privacy Act and other relevant privacy laws and policies, including:
- 10 (i) The required use of de-identified data in data research and  
11 reporting;
- 12 (ii) The required disposition of information that is no longer needed;
- 13 (iii) Providing data security, including the capacity for audit trails;
- 14 (iv) Providing for performance of regular audits for compliance with  
15 data privacy and security standards; and
- 16 (v) Implementing guidelines and policies that prevent the reporting  
17 of other potentially identifying data;
- 18 (4) Conduct research using timely and accurate student data and  
19 workforce data to improve the State's education system and guide decision making by State  
20 and local governments, educational agencies, institutions, teachers, and other education  
21 professionals;
- 22 (5) Conduct research relating to:
- 23 (i) The impact of State and federal education programs;
- 24 (ii) The performance of educator preparation programs; and
- 25 (iii) Best practices regarding classroom instruction, education  
26 programs and curriculum, and segment alignment;
- 27 (6) Fulfill information and data requests to facilitate State and federal  
28 education reporting with existing State agencies as appropriate; and
- 29 (7) Fulfill approved public information requests.

1 (g) (1) Direct access to data in the Maryland Longitudinal Data System shall  
2 be restricted to authorized staff of the Center.

3 (2) The Center may only use de-identified data in the analysis, research,  
4 and reporting conducted by the Center.

5 (3) The Center may only use aggregate data in the release of data in reports  
6 and in response to data requests.

7 (4) Data that may be identifiable based on the size or uniqueness of the  
8 population under consideration may not be reported in any form by the Center.

9 (5) [The] **EXCEPT AS PROVIDED IN § 24-703.2 OF THIS SUBTITLE, THE**  
10 Center may not release or sell information that may not be disclosed under the federal  
11 Family Educational Rights and Privacy Act and other relevant privacy laws and policies.

12 **24-703.2.**

13 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
14 **INDICATED.**

15 (2) **“AGGREGATED DATA” MEANS DE-IDENTIFIED DATA THAT IS**  
16 **SUMMARIZED BY TYPE OF PROGRAM OF STUDY OR EDUCATIONAL INSTITUTION.**

17 (3) **“STUDENT INFORMATION” MEANS:**

18 (I) **STUDENT SOCIAL SECURITY NUMBER;**

19 (II) **PROGRAM OF STUDY;**

20 (III) **ENROLLMENT; AND**

21 (IV) **NAME OF EDUCATIONAL INSTITUTION.**

22 (4) **“TAX INFORMATION” MEANS INCOME TAX RECORDS, WAGE**  
23 **INFORMATION, AND OTHER DATA STORED BY THE COMPTROLLER.**

24 (B) (1) **THE CENTER AND THE COMPTROLLER JOINTLY SHALL DEVELOP**  
25 **A PROTOCOL FOR RESEARCH PURPOSES FOR THE:**

26 (I) **CENTER TO SEND STUDENT INFORMATION TO THE**  
27 **COMPTROLLER;**

28 (II) **COMPTROLLER TO MATCH STUDENT INFORMATION TO TAX**

1 INFORMATION; AND

2 (III) COMPTROLLER TO PRODUCE AGGREGATED DATA FROM  
3 THE MATCHED INFORMATION ON THE AVERAGE AMOUNT OF WAGE OR SALARY  
4 EARNINGS FROM SELF-EMPLOYMENT OR OTHER SOURCES OF INCOME FOR  
5 INDIVIDUALS WITHIN EACH EDUCATIONAL INSTITUTION OR PROGRAM OF STUDY.

6 (2) THE COMPTROLLER MAY NOT PRODUCE ANY AGGREGATED DATA  
7 THAT MAY BE IDENTIFIABLE BASED ON THE SIZE OR UNIQUENESS OF THE  
8 POPULATION UNDER CONSIDERATION.

9 (C) THE CENTER AND THE COMPTROLLER JOINTLY SHALL DEVELOP DATA  
10 HANDLING AND SECURITY STANDARDS FOR THE COMPTROLLER TO UTILIZE FOR  
11 THE PROTOCOL, INCLUDING:

12 (1) DATA RETENTION AND DISPOSITION POLICIES;

13 (2) AUTHORIZED ACCESS AND AUTHENTICATION FOR AUTHORIZED  
14 ACCESS POLICIES;

15 (3) PRIVACY COMPLIANCE STANDARDS; AND

16 (4) BREACH NOTIFICATION AND PROCEDURES.

17 (D) THE COMPTROLLER SHALL COMPLY WITH ANY DATA PRIVACY AND  
18 SECURITY STANDARDS IN ACCORDANCE WITH THE FEDERAL FAMILY EDUCATIONAL  
19 RIGHTS AND PRIVACY ACT AND OTHER RELEVANT PRIVACY LAWS AND POLICIES.

20 24-703.3.

21 (A) THE CENTER SHALL DEVELOP A PROTOCOL THAT IS FULLY ALIGNED  
22 WITH THE CENTER'S DATA SETS AND SECURITY STANDARDS FOR:

23 (1) A COUNTY BOARD TO CONVERT A STUDENT'S HOME ADDRESS AND  
24 GEOLOCATION INFORMATION INTO CENSUS TRACT AND BLOCK NUMBERS; AND

25 (2) THE DEPARTMENT TO COLLECT THE CENSUS TRACT AND BLOCK  
26 NUMBER INFORMATION FROM A COUNTY BOARD AND PROVIDE THE INFORMATION  
27 TO THE CENTER.

28 (B) FOR FISCAL YEARS 2021 AND 2022, THE GOVERNOR SHALL  
29 APPROPRIATE IN THE ANNUAL STATE BUDGET \$100,000 TO THE CENTER FOR  
30 DEVELOPMENT OF THE PROTOCOL UNDER THIS SECTION.

## Article – State Government

1  
2 4-112.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
4 INDICATED.

5 (2) “AGGREGATED DATA” MEANS DE-IDENTIFIED DATA THAT IS  
6 SUMMARIZED BY TYPE OF PROGRAM OF STUDY OR EDUCATIONAL INSTITUTION.

7 (3) “STUDENT INFORMATION” MEANS:

8 (I) STUDENT SOCIAL SECURITY NUMBER;

9 (II) PROGRAM OF STUDY;

10 (III) ENROLLMENT; AND

11 (IV) NAME OF EDUCATIONAL INSTITUTION.

12 (4) “TAX INFORMATION” MEANS INCOME TAX RECORDS, WAGE  
13 INFORMATION, AND OTHER DATA STORED BY THE COMPTROLLER.

14 (B) (1) IN ACCORDANCE WITH THE PROTOCOL ESTABLISHED UNDER §  
15 24-703.2 OF THE EDUCATION ARTICLE, THE COMPTROLLER SHALL:

16 (I) MATCH STUDENT INFORMATION RECEIVED FROM THE  
17 MARYLAND LONGITUDINAL DATA SYSTEM CENTER WITH TAX INFORMATION  
18 MAINTAINED BY THE COMPTROLLER; AND

19 (II) FOR RESEARCH PURPOSES, PRODUCE AGGREGATED DATA  
20 FROM THE MATCHED INFORMATION ON THE AVERAGE AMOUNT OF WAGE OR SALARY  
21 EARNINGS FROM SELF-EMPLOYMENT OR OTHER SOURCES OF INCOME FOR  
22 INDIVIDUALS WITHIN EACH EDUCATIONAL INSTITUTION OR PROGRAM OF STUDY.

23 (2) THE COMPTROLLER MAY NOT PRODUCE ANY AGGREGATED DATA  
24 THAT MAY BE IDENTIFIABLE BASED ON THE SIZE OR UNIQUENESS OF THE  
25 POPULATION UNDER CONSIDERATION.

26 (C) THE COMPTROLLER SHALL FOLLOW AND UTILIZE PRIVACY AND  
27 SECURITY STANDARDS DEVELOPED FOR THE PROTOCOL, INCLUDING:

1           **(1) DATA RETENTION AND DISPOSITION POLICIES;**

2           **(2) AUTHORIZED ACCESS AND AUTHENTICATION FOR AUTHORIZED**  
3 **ACCESS POLICIES;**

4           **(3) PRIVACY COMPLIANCE STANDARDS; AND**

5           **(4) BREACH NOTIFICATION AND PROCEDURES.**

6           **(D) THE COMPTROLLER SHALL COMPLY WITH ANY DATA PRIVACY AND**  
7 **SECURITY STANDARDS IN ACCORDANCE WITH THE FEDERAL FAMILY EDUCATIONAL**  
8 **RIGHTS AND PRIVACY ACT AND OTHER RELEVANT PRIVACY LAWS AND POLICIES.**

9           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
10 1, 2019.