

Department of Legislative Services
 Maryland General Assembly
 2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 983 (Senators Hester and Serafini)
 Education, Health, and Environmental Affairs

Education - Maryland Data Analysis and Accountability Program - Established

This bill establishes the Maryland Data Analysis and Accountability Program to be administered by the Maryland Longitudinal Data System Center (MLDS Center) in consultation with the Maryland State Department of Education (MSDE) and the Department of Information Technology. The purpose of the program is to evaluate the success of the Blueprint for Maryland’s Future (the Blueprint). The bill establishes a board to oversee the program. By December 15 each year, the MLDS Center must report on the success of the Blueprint and make recommendations for changes to law, regulations, policies, or practices to improve student performance, including those specified. The report must include any agencies that fail to provide the center with requested data.

Fiscal Summary

State Effect: General fund expenditures increase by an estimated \$444,500 in FY 2021 to hire additional personnel and contractual expenses, as explained below. Future year expenditures reflect annualization and ongoing costs. Revenues are not affected.

(in dollars)	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	444,500	570,600	576,100	583,900	591,900
Net Effect	(\$444,500)	(\$570,600)	(\$576,100)	(\$583,900)	(\$591,900)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: Local expenditures may increase to collect and provide the required data to the center. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: In administering the program, the MLDS Center must perform the following functions and duties: (1) coordinate ongoing data integration efforts; (2) identify existing data sources that can be used; (3) consider analyzing specified data from specified State agencies and appropriate local agencies that indicate the need for wraparound services for students; (4) conduct an analysis on the success for the Blueprint as specified; (5) review data and provide research to determine the success of each of the Blueprint core policy areas; and (6) provide transparency of budgeting by tracking appropriations, allocations, and uses of funding associated with the the Blueprint, including the impact of the funds on performance outcomes.

Operation and Budget

The MLDS Center must procure the hardware and software necessary to implement the bill. The center may procure professional services as appropriate. The center must ensure sufficient services to develop and maintain the system. The center may hire the staff necessary to implement the bill. The budget for the center to administer the program is as provided in the annual State budget.

Providing of Data

Except as prohibited by law, every State and local government agency including the local boards of education must provide the center access to all information necessary for the MLDS Center to implement its duties.

Governing Board of the Maryland Data Analysis and Accountability Program

The bill establishes the membership of the governing board, including two members of the public appointed by the Speaker of the House of Delegates and two members of the public appointed by the President of the Senate. The Executive Director of the center must be the chair of the board. An appointed member serves at the pleasure of the appointing official. A term of a member is three years. A member continues to serve until a successor is appointed and qualifies. A member may be reappointed but may not serve more than two consecutive terms.

A member of the board may not receive compensation, but is entitled to reimbursement for expenses, as provided in the State budget.

Governing Board Duties

The bill establishes the duties of the governing board, including establishing the program's policy and research agenda and approving the annual budget of the program. Before incorporating any individual data in the system the governing board must develop and implement policies to comply with the federal Family Educational Rights and Privacy Act and any other privacy measures, as required by law or the board. Further, the board must develop a detailed data security and safeguarding plan as specified.

Reporting Requirements

Specifically, the MLDS Center must report on (1) longitudinal results from implementing early childhood programs; (2) educational and other indicators of student success; (3) closing equity and other socioeconomic gaps; and (4) longitudinal results from implementing college and career readiness programs.

Current Law: Chapter 190 of 2010 established MLDS to contain individual-level student data and workforce data from all levels of education and the State's workforce. The legislation also established the MLDS Center within State government to serve as a central repository for the data, to ensure compliance with federal privacy laws, to perform research on the data sets, and to fulfill education reporting requirements and approved public information requests. The MLDS Center is administratively housed within MSDE.

The center has a 13-member governing board that is responsible for providing general oversight and direction to the center and establishing the policy and research agenda of the center.

The purpose of the data system is to facilitate and enable the exchange of student data among agencies and institutions within the State as well as generate timely and accurate information about student achievement that can be used to improve the State's education system and guide decision makers at all levels. The data system allows users to effectively organize, manage, disaggregate, and analyze individual student data and to examine student progress and outcomes over time, including preparation for postsecondary education and the workforce.

The MLDS Center may only use de-identified data in the analysis, research, and reporting conducted by the center. The center may only use aggregate data in the release of data in reports and in response to data requests.

Student data collected by MLDS includes State and national assessments; course taking and completion; grade point average; remediation; retention; degree, diploma, or credential attainment; enrollment; demographic data; juvenile delinquency records; and elementary

and secondary school disciplinary records. Criminal records, children in need of assistance records, and medical and health records are specifically excluded from the types of data that MLDS may collect.

Local school systems, community colleges, public four-year institutions of higher education, and State agencies are required to transfer student-level and transcript-level data as well as workforce data to MLDS.

In addition to other specified duties, the center must conduct research relating to (1) the impact of State and federal education programs; (2) the performance of educator preparation programs; and (3) best practices regarding classroom instruction, education programs and curriculum, and segment alignment.

Background:

Blueprint for Maryland's Future

Chapter 771 of 2019 established the Blueprint for Maryland's Future as the policy goals for Maryland's education system based on the policy recommendations of the Commission on Innovation and Excellence in Education. Legislation has been introduced in the 2020 session (Senate Bill 1000/ House Bill 1300) to implement the full set of policy and funding recommendations of the commission that will encompass the Blueprint. The bill is not contingent on the enactment of the Blueprint implementation legislation.

Under the proposed legislation, the Blueprint would, beginning in fiscal 2022, substantially alter State aid and State policy for public schools. It would establish in law the policies and accountability recommendations of the commission, including creation of a new Accountability and Implementation Board to oversee implementation of the policies and funding provided under the Blueprint. Funding for existing education formulas, including the foundation program and targeted programs, is altered and new funding formulas are established for specific purposes, such as the concentration of poverty grant program and publicly funded full-day prekindergarten program.

Blueprint for Maryland's Future –Accountability and Implementation Board – Proposed

According to the Blueprint legislation, as introduced, the Accountability and Implementation Board (AIB) is established as an independent unit of State government designed to hold other units of government accountable for implementing the Blueprint and evaluating the outcomes of the Blueprint during the implementation period. It exists beginning in fiscal 2021 through 2031. The seven-member board of experts (as specified) is appointed by the Governor, subject to Senate confirmation. The Governor must choose AIB members from a slate of names submitted by a six-member nominating committee

establishes AIB's powers, duties, roles and responsibilities, which center around the development, approval, implementation, and monitoring of plans, and progress made under the plans, to implement the Blueprint. The board must develop and adopt a Comprehensive Implementation Plan to implement the Blueprint by December 15, 2020. Each unit of government responsible for implementing portions of the Blueprint, including each local school board, is required to adopt its own implementation plan and submit it to the board by September 15, 2021, which must be consistent with the comprehensive plan and must be approved by the board.

AIB is tasked with examining data as specified, including patterns in student outcomes and changes in achievement gaps between specific student subgroups and the makeup of public schools, in order to determine if the Blueprint is working as intended. The MLDS Center must share data with AIB so that AIB may perform its duties. Each November 1, the board must report on the progress made on the implementation of the Blueprint. In addition to the board's own assessments and monitoring of progress, the board must contract with an entity to conduct an independent evaluation of the State's progress toward implementing the Blueprint. An independent entity is required to report its results to the board by October 1, 2024, and October 1, 2030. The board must submit a report by December 1, 2024, that includes whether the Blueprint is being implemented as intended and whether any legislative or structural corrections are necessary to fully implement the Blueprint. By December 1, 2030, the board must submit a final report that includes whether the Blueprint is working as intended, and whether the board should continue to monitor implementation of the Blueprint after June 30, 2031.

Current MLDS Partnerships

The MLDS Center has a liaison position for three of the partner agencies that provide student and workforce data (MSDE; the Maryland Higher Education Commission (MHEC); and the Maryland Department of Labor). The liaisons provide technical and administrative support for the partner agencies and provide the center with subject matter expertise and management support in the use and administration of the data. The liaisons are fully funded by the MLDS Center, but they perform 50% of their job duties for the partner agency. The center advises that this model has been very successful in ensuring good data governance and an efficient and collaborative working relationship with the partner agencies. MLDS did not receive a liaison position for the Department of Juvenile Services (DJS) when Chapter 688 of 2019 added DJS as a MLDS partner agency; thus, the MLDS Center has engaged the services of a researcher at the University of Maryland School of Social Work (SSW).

The MLDS center does not have research partnerships with the Maryland Department of Health (MDH) or the Department of Human Services (DHS). Under the bill the center may need to develop partnerships with those and potentially other State and local agencies. In

addition, the center will need to collect and analyze additional data from MSDE, MHEC, and local school systems.

State Expenditures: General fund expenditures increase by \$444,484 in fiscal 2021, which accounts for the bill’s October 1, 2020 effective date. This estimate reflects the cost of the MLDS Center hiring one full-time education program specialist and one full-time database specialist to evaluate the success of the Blueprint. The education program specialist will develop reports and coordinate the work of the program. The database specialist will incorporate new data sources specified by the bill. These staff will also need to cultivate data sharing relationships with State and local agencies including, MDH, DHS, and local school systems.

In addition, the estimate reflects annual contractual costs of \$350,000 (prorated to \$262,500 in fiscal 2021). Of that \$290,000 (prorated to \$217,500 in fiscal 2021) would fund 80% of the time of an assistant research professor and 80% of the time of a statistician and additional time from research faculty as needed. The MLDS Center has an existing partnership with the SSW and contracts the services of its faculty and staff to do research for the center.

The remaining \$60,000 (prorated to \$45,000 in fiscal 2021) is to hire outside research and consulting firms for work contemplated by the bill such as fiscal analysis and reporting. Those tasks are not within the current expertise of the MLDS Center or its current partners. The estimate includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Positions	2
Salary and Fringe Benefits	\$171,251
Contractual Research – Faculty Grants	217,500
Contractual Research – Fiscal and other	45,000
One-time Start-up Expenses	9,780
Ongoing Operating Expenses	<u>953</u>
Total FY 2021 State Expenditures	\$444,484

Future year expenditures reflect two full salaries with annual increases and employee turnover, annualization, ongoing contractual expenses, and ongoing operating expenses.

Local Expenditures: Local expenditures may increase to collect and provide the required data to the center. Any such costs will depend on what data the governing board and the MLDS Center decide are required to evaluate the success of the Blueprint. These costs cannot be reliably estimated at this time.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland Higher Education Commission; Department of Juvenile Services; Department of Legislative Services

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