

HB1062/325167/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1062
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Council;” insert “requiring the Department to report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means on certain best practices and recommendations for student data governance on or before a certain date;”; and after line 21, insert:

“BY repealing and reenacting, with amendments,
Chapter 381 of the Acts of the General Assembly of 2018
Section 2”.

AMENDMENT NO. 2

On page 3, in line 14, after “(3)” insert “**(I)**”; in the same line, after “who” insert “**ENGAGES WITH INSTITUTIONS UNDER THE SCHOOL OFFICIAL EXCEPTION OF THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT AND**”; in line 18, strike “**(I)**” and substitute “**1.**”; in line 19, strike “**(II)**” and substitute “**2.**”; in the same line, strike “**1.**” and substitute “**A.**”; in line 21, strike “**2.**” and substitute “**B.**”; and after line 24, insert:

“(II) “OPERATOR” INCLUDES A DIVISION OF A PARENT ENTITY IF THE DIVISION:

- 1. SERVES EDUCATION CLIENTS; AND**
- 2. DOES NOT SHARE COVERED INFORMATION WITH THE PARENT ENTITY.”.**

(Over)

AMENDMENT NO. 3

On page 5, after line 23, insert:

“Chapter 381 of the Acts of 2018

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1, 2019, [and] July 1, 2020, AND JULY 1, 2022, the State Department of Education shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on the status of the following:

- (1) development and implementation of best practices in the areas of data governance, transparency, and professional development;
- (2) levels of engagement by county boards;
- (3) barriers to engagement, if any, including fiscal, statutory, or workplace obstacles; and
- (4) any recommended statutory changes.”.

On page 6, in line 4, strike “**TO PROVIDE TO**” and substitute “**FOR**”; and in line 5, after “**STATE**” insert “**, INCLUDING:**”

1. THE ACTIONS THAT SHOULD OCCUR IF AN OPERATOR ENGAGES IN AN ACTIVITY PROHIBITED UNDER § 4–131 OF THE EDUCATION ARTICLE;

2. THE TYPE OF INVESTIGATION THAT SHOULD BE DONE IF AN OPERATOR IS SUSPECTED OF ENGAGING IN AN ACTIVITY PROHIBITED UNDER § 4–131 OF THE EDUCATION ARTICLE;

**3. THE BEST REMEDIES AVAILABLE TO STUDENTS
AND PARENTS IN CASE OF AN OPERATOR ENGAGING IN AN ACTIVITY PROHIBITED
UNDER § 4-131 OF THE EDUCATION ARTICLE; AND**

**4. ANY STATUTORY OR REGULATORY CHANGES
NECESSARY TO BEST EFFECTUATE ITEMS 1 THROUGH 3 OF THIS
SUBPARAGRAPH**’.