HOUSE BILL 854

By: **Delegate Kaiser**
Introduced and read first time: January 29, 2021
Assigned to: Ways and Means

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 7, 2021

CHAPTER _____

1   AN ACT concerning

2   **Maryland Longitudinal Data System Center – Inclusion of** ~~Out–of–Home~~
3   ~~Placement Data~~ **Child Welfare Data and Governing Board**

4   FOR the purpose of including ~~placement data from State–sponsored out–of–home care~~
5   ~~originations~~ <u>child welfare data</u> in the data collected, organized, managed,
6   disaggregated, reported on, and analyzed by the Maryland Longitudinal Data
7   System Center; ~~altering the purpose of the Center to include using information about~~
8   ~~children who were provided with State–sponsored out–of–home care;~~ adding the
9   Social Services Administration within the Department of Human Services as one of
10   the organizations providing the Center with data; requiring the Center to conduct
11   research on the educational and economic impact of ~~childhood out–of–home~~
12   ~~placement~~ <u>child welfare programs</u>; ~~repealing~~ <u>altering</u> a requirement that the Center
13   annually report certain information on students who are dually enrolled to the
14   Governor and the General Assembly; requiring the Center to develop a certain data
15   dashboard that is published annually on the Center's website on students who are
16   dually enrolled; requiring the Center to develop a certain data dashboard that is
17   published annually on the Center's website on children in out–of–home placements;
18   <u>requiring the Center to send a certain data dashboard to the Governor and the</u>
19   <u>General Assembly annually on or before a certain date;</u> requiring the Department of
20   Human Services to make every effort to comply with certain data requirements;
21   ~~making conforming changes~~ <u>adding the Secretary of Human Services or the</u>
22   <u>Secretary's designee to the membership of the Center's Governing Board</u>; defining a
23   certain term; <u>altering a certain definition;</u> and generally relating to the inclusion of
24   ~~placement~~ <u>child welfare</u> data in the Maryland Longitudinal Data System <u>and the</u>
25   <u>Governing Board of the Center</u>.

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1　BY repealing and reenacting, with amendments,
2　　　　Article – Education
3　　　　Section 24–701, ~~24–702,~~ 24–703(f), 24–703.1, <u>24–704(b),</u> and 24–707(a)
4　　　　Annotated Code of Maryland
5　　　　(2018 Replacement Volume and 2020 Supplement)

6　BY repealing and reenacting, without amendments,
7　　　　Article – Education
8　　　　Section 24–703(a) <u>and 24–704(a)</u>
9　　　　Annotated Code of Maryland
10　　　(2018 Replacement Volume and 2020 Supplement)

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

Article – Education

14　24–701.

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

16　　　(b)　　"Center" means the Maryland Longitudinal Data System Center.

17　　　**(C)**　　**(1)**　　**"CHILD WELFARE DATA" MEANS DATA RELATING TO A CHILD'S**
18　**EXPERIENCE WITH CHILD PROTECTIVE SERVICES, FAMILY PRESERVATION**
19　**SERVICES, AND STATE–SPONSORED OUT–OF–HOME SERVICES.**

20　　　　　　**(2)**　　**"CHILD WELFARE DATA" INCLUDES:**

21　　　　　　　　　**(I)**　　**OUT–OF–HOME PLACEMENT DATA, INCLUDING:**

22　　　　　　　　　　　**1.**　　**SUPERVISING JURISDICTION;**

23　　　　　　　　　　　**2.**　　**REMOVAL REASON;**

24　　　　　　　　　　　**3.**　　**CHARACTERISTICS AT THE TIME OF REMOVAL;**

25　　　　　　　　　　　**4.**　　**RETURN REASON;**

26　　　　　　　　　　　**5.**　　**PLACEMENT START AND END DATES; AND**

27　　　　　　　　　　　**6.**　　**PLACEMENT TYPE;**

28　　　　　　　　　**(II)**　　**FAMILY PRESERVATION SERVICES DATA, INCLUDING:**

1   **1.**   **SUPERVISING JURISDICTION;**

2   **2.**   **TYPE OF FAMILY PRESERVATION SERVICE; AND**

3   **3.**   **SERVICE START AND END DATES; AND**

4   **(III)**   **CHILD PROTECTIVE SERVICES DATA, INCLUDING:**

5   **1.**   **RESPONSIBLE JURISDICTION;**

6   **2.**   **TYPE OF CHILD PROTECTIVE SERVICE RESPONSE;**

7   **3.**   **DATE ON WHICH CHILD PROTECTIVE SERVICES**
8   **RESPONDED;**

9   **4.**   **ALLEGED MALTREATMENT TYPE;**

10   **5.**   **DISPOSITION OF AN INVESTIGATIVE RESPONSE BY**
11   **CHILD PROTECTIVE SERVICES; AND**

12   **6.**   **DATE ON WHICH CHILD PROTECTIVE SERVICES**
13   **COMPLETES A RESPONSE.**

14   ~~(c)~~ **(D)** "De–identified data" means a data set in which parent and student identity
15   information, including the State Assigned Student Identifier and student Social Security
16   number, has been removed.

17   ~~(d)~~ **(E)** "Governing Board" means the Governing Board of the Maryland Longitudinal
18   Data System Center.

19   ~~(E)~~   ~~(1)~~   ~~"PLACEMENT DATA" MEANS DATA RELATING TO A CHILD'S~~
20   ~~EXPERIENCE WITH STATE–SPONSORED OUT–OF–HOME CARE.~~

21   ~~(2)~~   ~~"PLACEMENT DATA" INCLUDES:~~

22   ~~(I)~~   ~~SUPERVISING JURISDICTION;~~

23   ~~(II)~~   ~~REMOVAL REASON;~~

24   ~~(III)~~ ~~CHARACTERISTICS AT THE TIME OF REMOVAL;~~

25   ~~(IV)~~   ~~RETURN REASON;~~

26   ~~(V)~~   ~~PLACEMENT START AND END DATES; AND~~

1   ~~**(VI)   PLACEMENT TYPE.**~~

2   **[**(e)**] (F)**   "State Assigned Student Identifier" or "SASID" means the identifier
3   assigned to each student by:

4   (1)   A local education agency based on the identifier system developed by
5   the State Department of Education; or

6   (2)   An institution of higher education, if the student has not been assigned
7   an identifier by a local education agency.

8   **[**(f)**] (G)**   (1)   "Student data" means data relating to or impacting student
9   performance.

10   (2)   "Student data" includes:

11   (i)   State and national assessments;

12   (ii)   Course–taking and completion;

13   (iii)   Grade point average;

14   (iv)   Remediation;

15   (v)   Retention;

16   (vi)   Degree, diploma, or credential attainment;

17   (vii)   Enrollment;

18   (viii)   Demographic data;

19   (ix)   Juvenile delinquency records; ~~and~~

20   (x)   Elementary and secondary school disciplinary records**; AND**

21   **(XI)   CHILD WELFARE DATA**.

22   (3)   "Student data" does not include:

23   (i)   Criminal and CINA records; and

24   (ii)   Medical and health records.

25   **[**(g)**] (H)**   "Workforce data" means data relating to:

1   (1)   Employment status;

2   (2)   Wage information;

3   (3)   Geographic location of employment; and

4   (4)   Employer information.

5   24–702.

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

10   (b)   The Maryland Longitudinal Data System is a statewide data system that
11   contains individual–level student data, **PLACEMENT DATA,** and workforce data from all
12   levels of education, **STATE–SPONSORED OUT–OF–HOME CARE,** and the State's
13   workforce, and allows the Center to:

14   (1)   Effectively organize, manage, disaggregate, and analyze individual
15   student data **AND PLACEMENT DATA;** and

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

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

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

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

25   (2)   **GENERATE TIMELY AND ACCURATE INFORMATION ABOUT**
26   **CHILDREN WHO WERE PROVIDED WITH STATE–SPONSORED OUT–OF–HOME CARE**
27   **THAT CAN BE USED TO IMPROVE THE STATE'S EDUCATION AND CHILD WELFARE**
28   **SYSTEMS AND GUIDE DECISIONS MADE AT ALL LEVELS; AND**

29   **(3)**   Facilitate and enable the linkage of student data, **PLACEMENT DATA,**
30   and workforce data.

31   24–703.

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

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

3   (1)   Serve as a central repository of student data, ~~PLACEMENT DATA,~~ and
4   workforce data in the Maryland Longitudinal Data System, including data sets provided
5   by:

6   (i)   The State Department of Education;

7   (ii)   Local education agencies;

8   (iii)   The Maryland Higher Education Commission;

9   (iv)   Institutions of higher education;

10   (v)   The Maryland Department of Labor; **[**and**]**

11   (vi)   The Department of Juvenile Services; **AND**

12   **(VII) THE SOCIAL SERVICES ADMINISTRATION WITHIN THE**
13   **DEPARTMENT OF HUMAN SERVICES;**

14   (2)   Oversee and maintain the warehouse of the Maryland Longitudinal
15   Data System data sets;

16   (3)   Ensure routine and ongoing compliance with the federal Family
17   Educational Rights and Privacy Act and other relevant privacy laws and policies, including:

18   (i)   The required use of de–identified data in data research and
19   reporting;

20   (ii)   The required disposition of information that is no longer needed;

21   (iii)   Providing data security, including the capacity for audit trails;

22   (iv)   Providing for performance of regular audits for compliance with
23   data privacy and security standards; and

24   (v)   Implementing guidelines and policies that prevent the reporting
25   of other potentially identifying data;

26   (4)   Conduct research using timely and accurate student data and
27   workforce data to improve the State's education system and guide decision making by State
28   and local governments, educational agencies, institutions, teachers, and other education
29   professionals;

1   (5)   Conduct research relating to:

2   (i)   The impact of State and federal education programs;

3   (ii)   The performance of educator preparation programs; **[and]**

4   (iii)   Best practices regarding classroom instruction, education
5   programs and curriculum, and segment alignment**; AND**

6   **(IV)   THE IMPACT ~~ON~~ CHILD WELFARE PROGRAMS HAVE ON THE**
7   **EDUCATIONAL AND ECONOMIC OUTCOMES OF ~~CHILDHOOD OUT–OF–HOME~~**
8   **~~PLACEMENT~~ STUDENTS**;

9   (6)   Fulfill information and data requests to facilitate State and federal
10   education reporting with existing State agencies as appropriate; and

11   (7)   Fulfill approved public information requests.

12   24–703.1.

13   **(A)   (1)**   The Center shall **[**report to the Governor and, in accordance with §
14   2–1257 of the State Government Article, the General Assembly on or before December 15
15   of each year**]** **DEVELOP A CLEAR AND EASY–TO–UNDERSTAND GRAPHIC DATA**
16   **DASHBOARD THAT IS PUBLISHED ANNUALLY ON THE CENTER'S WEBSITE WITH**
17   **INFORMATION**, disaggregated by local school system, regarding:

18   ~~(1)~~ **(I)**   The number of students who are dually enrolled under Title 18,
19   Subtitle 14A of this article; and

20   ~~(2)~~ **(II)**   The number and course name of the courses in which a student
21   under item ~~(1)~~ **(I)** of this **[**section**]** **SUBSECTION** dually enrolls at the high school and at
22   the public institution of higher education.

23   **(2)   ON OR BEFORE DECEMBER 15, 2021, AND EACH DECEMBER 15**
24   **THEREAFTER, THE CENTER SHALL SEND TO THE GOVERNOR AND, IN ACCORDANCE**
25   **WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A**
26   **COPY OF THE DATA DASHBOARD PUBLISHED UNDER THIS SUBSECTION, AS THE**
27   **DASHBOARD APPEARED ON THE DATE IT IS SENT.**

28   **(B)   (1)   THE   CENTER   SHALL   DEVELOP   A   CLEAR   AND**
29   **EASY–TO–UNDERSTAND GRAPHIC DATA DASHBOARD THAT IS PUBLISHED ANNUALLY**
30   **ON THE CENTER'S WEBSITE WITH INFORMATION, DISAGGREGATED BY COUNTY,**
31   **REGARDING THE EXPERIENCE OF FORMER CHILDREN IN OUT–OF–HOME**
32   **PLACEMENTS AND HOW OUT–OF–HOME PLACEMENT AFFECTED PARTICIPATION IN**
33   **HIGHER EDUCATION.**

1   **(2)**   THE DATA DASHBOARD REQUIRED UNDER THIS SUBSECTION
2   SHALL INCLUDE INFORMATION ON:

3   **(I)**   THE RATE OF ENROLLMENT IN INSTITUTIONS OF HIGHER
4   EDUCATION BY PLACEMENT;

5   **(II)**   THE TYPE OF INSTITUTION OF HIGHER EDUCATION IN
6   WHICH CHILDREN IN OUT–OF–HOME PLACEMENTS ARE ENROLLED;

7   **(III)** THE TYPE OF FINANCIAL SUPPORT PROVIDED TO
8   CHILDREN IN OUT–OF–HOME PLACEMENTS ENROLLED IN AN INSTITUTION OF
9   HIGHER EDUCATION; AND

10   **(IV)**   THE GRADUATION RATE FOR CHILDREN IN OUT–OF–HOME
11 PLACEMENTS FROM INSTITUTIONS OF HIGHER EDUCATION.

12   **(3)**   ON OR BEFORE DECEMBER 15, 2021, AND EACH DECEMBER 15
13 THEREAFTER, THE CENTER SHALL SEND TO THE GOVERNOR AND, IN ACCORDANCE
14 WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY A
15 COPY OF THE DATA DASHBOARD PUBLISHED UNDER THIS SUBSECTION, AS THE
16 DASHBOARD APPEARED ON THE DATE IT IS SENT.

17 24–704.

18   (a)   There is a Governing Board of the Center.

19   (b)   The Governing Board shall include the following members:

20   (1)   The Secretary of Higher Education, or the Secretary's designee;

21   (2)   The Chancellor of the University System of Maryland, or the
22 Chancellor's designee;

23   (3)   The President of Morgan State University, or the President's designee;

24   (4)   The State Superintendent of Schools, or the Superintendent's designee;

25   (5)   The Secretary of Juvenile Services, or the Secretary's designee;

26   (6)   The Secretary of Labor, or the Secretary's designee;

27   **(7)   THE SECRETARY OF HUMAN SERVICES, OR THE SECRETARY'S**
28 **DESIGNEE;**

1   **(8)** <u>A representative of local superintendents of schools, appointed by the</u>
2 <u>Governor with the advice and consent of the Senate;</u>

3   **[**(8)**] (9)** The Executive Director of the Maryland Association of
4 Community Colleges, or the Executive Director's designee;

5   **[**(9)**] (10)** The President of the Maryland Independent College and
6 University Association, or the President's designee; and

7   **[**(10)**] (11)** Four members of the public, appointed by the Governor with the
8 advice and consent of the Senate.

9 24–707.

10   (a)   Local education agencies, community colleges, public senior higher education
11 institutions, **THE DEPARTMENT OF HUMAN SERVICES,** and **OTHER** State agencies shall:

12   (1)   Make every effort to comply with the data requirements and
13 implementation schedule for the Maryland Longitudinal Data System as set forth by the
14 Governing Board; and

15   (2)   Transfer student data **[**and**],** workforce data, ~~**AND PLACEMENT DATA**~~
16 to the Maryland Longitudinal Data System in accordance with the data security and
17 safeguarding plan developed under § 24–704(g)(6) of this subtitle.

18   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2021.

Approved:

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                                        Governor.

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                          Speaker of the House of Delegates.

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                                President of the Senate.