

Chapter 306

(House Bill 854)

AN ACT concerning

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

FOR the purpose of including ~~placement data from State-sponsored out-of-home care originations~~ child welfare data in the data collected, organized, managed, disaggregated, reported on, and analyzed by the Maryland Longitudinal Data System Center; ~~altering the purpose of the Center to include using information about children who were provided with State-sponsored out-of-home care;~~ adding the Social Services Administration within the Department of Human Services as one of the organizations providing the Center with data; requiring the Center to conduct research on the educational and economic impact of ~~childhood out-of-home placement~~ child welfare programs; ~~repealing~~ altering a requirement that the Center annually report certain information on students who are dually enrolled to the Governor and the General Assembly; requiring the Center to develop a certain data dashboard that is published annually on the Center's website on students who are dually enrolled; requiring the Center to develop a certain data dashboard that is published annually on the Center's website on children in out-of-home placements; requiring the Center to send a certain data dashboard to the Governor and the General Assembly annually on or before a certain date; requiring the Department of Human Services to make every effort to comply with certain data requirements; ~~making conforming changes~~ adding the Secretary of Human Services or the Secretary's designee to the membership of the Center's Governing Board; defining a certain term; altering a certain definition; and generally relating to the inclusion of ~~placement~~ child welfare data in the Maryland Longitudinal Data System and the Governing Board of the Center.

BY repealing and reenacting, with amendments,

Article – Education

Section 24-701, ~~24-702~~, 24-703(f), 24-703.1, ~~24-704(b)~~, and 24-707(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 24-703(a) and 24-704(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

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

Article – Education

24–701.

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

(b) “Center” means the Maryland Longitudinal Data System Center.

(c) (1) “CHILD WELFARE DATA” MEANS DATA RELATING TO A CHILD’S EXPERIENCE WITH CHILD PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, AND STATE-SPONSORED OUT-OF-HOME SERVICES.

(2) “CHILD WELFARE DATA” INCLUDES:

(i) OUT-OF-HOME PLACEMENT DATA, INCLUDING:

- 1. SUPERVISING JURISDICTION;**
- 2. REMOVAL REASON;**
- 3. CHARACTERISTICS AT THE TIME OF REMOVAL;**
- 4. RETURN REASON;**
- 5. PLACEMENT START AND END DATES; AND**
- 6. PLACEMENT TYPE;**

(ii) FAMILY PRESERVATION SERVICES DATA, INCLUDING:

- 1. SUPERVISING JURISDICTION;**
- 2. TYPE OF FAMILY PRESERVATION SERVICE; AND**
- 3. SERVICE START AND END DATES; AND**

(iii) CHILD PROTECTIVE SERVICES DATA, INCLUDING:

- 1. RESPONSIBLE JURISDICTION;**
- 2. TYPE OF CHILD PROTECTIVE SERVICE RESPONSE;**
- 3. DATE ON WHICH CHILD PROTECTIVE SERVICES**

RESPONDED;

4. ALLEGED MALTREATMENT TYPE;**5. DISPOSITION OF AN INVESTIGATIVE RESPONSE BY CHILD PROTECTIVE SERVICES; AND****6. DATE ON WHICH CHILD PROTECTIVE SERVICES COMPLETES A RESPONSE.**

~~(d)~~ **(D)** “De-identified data” means a data set in which parent and student identity information, including the State Assigned Student Identifier and student Social Security number, has been removed.

~~(d)~~ **(E)** “Governing Board” means the Governing Board of the Maryland Longitudinal Data System Center.

~~(E)~~ **(1)** ~~“PLACEMENT DATA” MEANS DATA RELATING TO A CHILD’S EXPERIENCE WITH STATE SPONSORED OUT-OF-HOME CARE.~~

~~(2)~~ ~~“PLACEMENT DATA” INCLUDES:~~

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

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

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

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

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

~~(VI)~~ ~~PLACEMENT TYPE.~~

(F) “State Assigned Student Identifier” or “SASID” means the identifier assigned to each student by:

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

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

(G) (1) “Student data” means data relating to or impacting student performance.

- (2) “Student data” includes:
- (i) State and national assessments;
 - (ii) Course-taking and completion;
 - (iii) Grade point average;
 - (iv) Remediation;
 - (v) Retention;
 - (vi) Degree, diploma, or credential attainment;
 - (vii) Enrollment;
 - (viii) Demographic data;
 - (ix) Juvenile delinquency records; ~~and~~
 - (x) Elementary and secondary school disciplinary records; **AND**

(XI) CHILD WELFARE DATA.

- (3) “Student data” does not include:
- (i) Criminal and CINA records; and
 - (ii) Medical and health records.

[(g)] (H) “Workforce data” means data relating to:

- (1) Employment status;
- (2) Wage information;
- (3) Geographic location of employment; and
- (4) Employer information.

~~24-702.~~

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

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

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

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

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

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

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

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

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

24-703.

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

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

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

(i) The State Department of Education;

(ii) Local education agencies;

(iii) The Maryland Higher Education Commission;

- (iv) Institutions of higher education;
- (v) The Maryland Department of Labor; [and]
- (vi) The Department of Juvenile Services; AND

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

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

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

(i) The required use of de-identified data in data research and reporting;

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

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

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

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

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

(5) Conduct research relating to:

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

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

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

(IV) THE IMPACT ~~ON~~ CHILD WELFARE PROGRAMS HAVE ON THE EDUCATIONAL AND ECONOMIC OUTCOMES OF ~~CHILDHOOD OUT-OF-HOME PLACEMENT~~ STUDENTS;

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

(7) Fulfill approved public information requests.

24-703.1.

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

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

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

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

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

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

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

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

(III) **THE TYPE OF FINANCIAL SUPPORT PROVIDED TO**

CHILDREN IN OUT-OF-HOME PLACEMENTS ENROLLED IN AN INSTITUTION OF HIGHER EDUCATION; AND

(IV) THE GRADUATION RATE FOR CHILDREN IN OUT-OF-HOME PLACEMENTS FROM INSTITUTIONS OF HIGHER EDUCATION.

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

24-704.

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

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

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

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

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

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

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

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

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

(8) A representative of local superintendents of schools, appointed by the Governor with the advice and consent of the Senate;

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

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

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

24-707.

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

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

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

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

Approved by the Governor, May 18, 2021.