

Department of Legislative Services

Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Enrolled - Revised

House Bill 1276

(Delegate Attar)

Ways and Means

Education, Health, and Environmental Affairs

Baltimore City Youth Data Hub - Establishment

This bill establishes the Baltimore City Youth Data Hub (Hub) for the purpose of promoting the health, safety, security, and well-being of youth and to improve equitable access to, and the overall cost-efficiency of, programs serving youth in the city. The bill requires the establishment of an executive committee to, among other responsibilities, appoint and oversee a manager of the Hub. The bill includes procedures to safeguard the security and confidentiality of data included in the Hub and establishes penalties for violations of those procedures. The Hub must also publish an annual report that is available and accessible to the public. **The bill takes effect June 1, 2022.**

Fiscal Summary

State Effect: None

Local Effect: None. Participation in the Hub is voluntary for Baltimore City and Baltimore City Public Schools; any expenses related to their participation can be handled with existing budgeted resources. Local revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary:

Administration of the Baltimore City Youth Data Hub

The executive committee provides vision, oversight, and leadership for the Hub, and is composed of the Mayor of Baltimore City or designee, the Chief Executive Officer of Baltimore City Public Schools or designee, and any other individuals selected by the Mayor. The executive committee must also establish an advisory committee of community stakeholders, including representatives from nonprofit organizations, faith-based institutions, community resident associations, and members from the larger community.

The manager of the Hub must (1) be a citywide organization that focuses on improving youth outcomes, particularly on youth from historically underrepresented neighborhoods and (2) promptly and properly aggregate personally identifiable information (PII) received from providers.

Application of the Open Meetings Act and the Public Information Act

The bill exempts the manager of the Hub and specified records and data that it maintains from the Public Information Act (PIA). If the manager contracts with a technology vendor or other professional to assist with the operation of the Hub, the vendor or professional is similarly exempt from PIA. Additionally, the manager is not subject to the Open Meetings Act.

Data Sources and Management

Generally, any local government entity and the Baltimore City Board of School Commissioners may provide PII and data for the Baltimore City Youth Data Hub. On request of the manager, a provider may submit and update PII related to the Hub's purpose. This information may be submitted on a rolling or real-time basis. The provider and its clients must retain ownership of the data provided, including any modifications, compilations, or derivative files created or developed from the data originally provided by the provider to the Hub.

Data Usage and Security

The bill establishes the criteria for usage and security of the data provided to the Hub. Overall, only the manager and the manager's authorized staff or contractors who are authorized may have direct access to PII in the Hub. The manager must also ensure that all

appropriate measures as specified are in place that protect privacy, confidentiality, integrity, and availability of any data in compliance with the federal Family Educational Rights and Privacy Act and other relevant privacy laws and policies. The Hub may not use its data management system to produce PII or reports that contain PII.

Requirements for Publishing Annual Reports

The Hub's annual report must include specified information on the implementation of the data management system, approved disclosures of data, publications based on Hub data, and other related topics.

Penalties for Misuse of Data

A person who obtains, discloses, or uses, or attempts to obtain, disclose, or use PII for a purpose other than aggregation in the Hub is guilty of a misdemeanor and is subject to imprisonment not exceeding one year or a fine not exceeding \$1,000, or both. Additionally, a person acting on behalf of the manager or a provider is civilly liable for actual damages, including attorney's fees and litigation costs, if a court finds by clear and convincing evidence that the person's violation of the bill's provisions caused damage to an individual. Generally, a provider may not be civilly or criminally liable for providing identifiable data to the manager for the sole purpose of inclusion in the Hub.

Current Law: There is no existing program in statute that aggregates data on youth in Baltimore City.

Maryland Longitudinal Data System Center (MLDS)

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 the Maryland State Department of Education.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 870 (Senator Washington) - Education, Health, and Environmental Affairs.

Information Source(s): Baltimore City; Baltimore City Public Schools; Department of Legislative Services

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