

Chapter 100

(House Bill 293)

AN ACT concerning

**Maryland Longitudinal Data System Center – External Data Sharing With
Third-Party Data Centers for Multistate Reporting – Authorization**

FOR the purpose of authorizing the Governing Board of the Maryland Longitudinal Data System Center to provide certain student and workforce data to a third-party data center under certain circumstances; requiring each third-party data center to agree to comply with certain requirements relating to the data the center receives; requiring the Center to enter into a written data sharing agreement with certain third-party data centers; repealing the Governing Board's power to authorize the sharing of data with the U.S. Census Bureau under certain circumstances; and generally relating to the authority of the Maryland Longitudinal Data System Center to share data externally.

BY repealing and reenacting, without amendments,
Article – Education
Section 24-703(a) and 24-704(a)
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 24-703(f) and 24-704(g)
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

BY repealing
Article – Education
Section 24-703.2(e)
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

BY adding to
Article – Education
Section 24-703.4
Annotated Code of Maryland
(2022 Replacement Volume and 2025 Supplement)

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

Article – Education

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 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;

(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;

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

(iv) The impact child welfare programs have on the educational and economic outcomes of students;

(6) At the direction of the Accountability and Implementation Board established in Title 5, Subtitle 4 of this article provide:

(i) A researcher designated by the Board access to the data in the Maryland Longitudinal Data System in accordance with the procedures for staff authorization and data access established by the Maryland Longitudinal Data System governing board;

(ii) Aggregate data tables; or

(iii) Research or evaluation;

(7) Analyze social determinants from the following State agencies and appropriate local agencies that impact the education performance of students and indicate the need for wraparound services of students:

(i) The Maryland Department of Health;

(ii) The Department of Juvenile Services; and

(iii) The Department of Human Services;

(8) To the extent practicable, conduct longitudinal studies of the items under this section to evaluate the impact of the Blueprint for Maryland's Future on the State;

(9) SHARE DATA WITH THIRD-PARTY DATA CENTERS ONLY IN ACCORDANCE WITH § 24-703.4 OF THIS SUBTITLE;

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

[(10)] (11) Fulfill approved public information requests.

24-703.2.

[(e) The Governing Board may authorize the Center to send student information to the United States Census Bureau.]

24-703.4.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FEDRAMP” MEANS THE FEDERAL RISK AND AUTHORIZATION MANAGEMENT PROGRAM MANAGED BY THE U.S. GENERAL SERVICES ADMINISTRATION.

(3) “THIRD-PARTY DATA CENTER” MEANS A SECURE COMPUTATIONAL RESEARCH PLATFORM MANAGED BY A PERSON OTHER THAN A STATE AGENCY THAT ALLOWS STATES TO SECURELY SHARE DATA FOR PURPOSES OF DATA MATCHING AND MULTISTATE REPORTING.

(B) (1) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, THE GOVERNING BOARD MAY AUTHORIZE THE CENTER TO PROVIDE INDIVIDUAL-LEVEL STUDENT DATA AND INDIVIDUAL-LEVEL WORKFORCE DATA TO A THIRD-PARTY DATA CENTER ONLY FOR THE PURPOSE OF FACILITATING MULTISTATE RESEARCH AND REPORTING ON STUDENT OUTCOMES.

(2) THE GOVERNING BOARD MAY AUTHORIZE THE SHARING OF DATA UNDER PARAGRAPH (1) OF THIS SUBSECTION ONLY WITH ONE THIRD-PARTY DATA CENTER AT A TIME.

(C) (1) BEFORE AUTHORIZING THE CENTER TO PROVIDE DATA TO A THIRD-PARTY DATA CENTER, THE GOVERNING BOARD SHALL ENSURE THAT THE THIRD-PARTY DATA CENTER:

(I) HAS DATA HANDLING AND SECURITY STANDARDS THAT ARE AT LEAST AS RIGOROUS AS THOSE EMPLOYED BY THE CENTER;

(II) IS A FEDRAMP-AUTHORIZED AND -CERTIFIED PLATFORM;

(III) USES PERSONALLY IDENTIFIABLE INFORMATION ONLY TO THE EXTENT THAT IS NECESSARY FOR MATCHING STUDENT DATA AND WORKFORCE DATA WITH DATA FROM OTHER STATES;

(IV) EMPLOYS PRIVACY-ENHANCING TECHNIQUES, INCLUDING DATA HASHING, IN PLACE OF PERSONALLY IDENTIFIABLE DATA WHENEVER APPROPRIATE;

(V) USES ONLY DE-IDENTIFIED DATA FOR ANALYTIC PURPOSES;

(VI) RELEASES ONLY AGGREGATE DATA IN REPORTS AND OTHER OUTPUT; AND

(VII) DOES NOT REPORT DATA IN ANY FORM THAT MAY BE USED TO IDENTIFY INDIVIDUALS BASED ON THE SIZE OR UNIQUENESS OF THE POPULATION UNDER CONSIDERATION.

(2) BEFORE PROVIDING ANY DATA TO A THIRD-PARTY DATA CENTER, THE CENTER SHALL ENTER INTO A WRITTEN DATA SHARING AGREEMENT WITH A THIRD-PARTY DATA CENTER, IN WHICH THE THIRD-PARTY DATA CENTER AGREES TO COMPLY WITH:

(I) THE CONDITIONS LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION;

(II) STATE AND FEDERAL LAWS RELATING TO DATA PRIVACY; AND

(III) ANY OTHER CRITERIA THE GOVERNING BOARD DETERMINES ARE APPROPRIATE.

(3) EACH YEAR, THE GOVERNING BOARD SHALL REVIEW ~~EACH~~ AN AUTHORIZED DATA SHARING AGREEMENT TO ENSURE THAT THE USE OF STUDENT DATA AND WORKFORCE DATA BY THE THIRD-PARTY DATA CENTER REMAINS COMPLIANT WITH THE TERMS OF THE AGREEMENT.

(D) BEFORE PROVIDING ANY DATA TO A THIRD-PARTY DATA CENTER, THE GOVERNING BOARD SHALL AFFIRMATIVELY APPROVE:

(1) THE SHARING OF THE DATA ELEMENTS THAT CONSTITUTE EACH DATA SET;

(2) THE SHARING OF EACH DATA SET; AND

(3) EACH PROPOSED RESEARCH OR REPORTING PROJECT THAT SEEKS TO USE MARYLAND DATA.

(E) (1) WITHIN 30 DAYS AFTER ENTERING INTO A WRITTEN DATA SHARING AGREEMENT WITH A THIRD-PARTY DATA CENTER IN ACCORDANCE WITH THIS SECTION, THE CENTER SHALL SUBMIT A REPORT TO THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT AND THE HOUSE WAYS AND MEANS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THAT INCLUDES:

(I) THE NAME OF THE THIRD-PARTY DATA CENTER;

(II) A SUMMARY OF THE DATA TO BE SHARED; AND

(III) THE PURPOSE OF AND VALUE TO THE STATE FOR ENTERING INTO THE DATA SHARING AGREEMENT.

(2) WITHIN 1 YEAR OF THE DATE THE REPORT UNDER PARAGRAPH (1) OF THIS SUBSECTION WAS SUBMITTED AND EACH YEAR THEREAFTER UNTIL THE DATA SHARING AGREEMENT IS NO LONGER IN EFFECT, THE CENTER SHALL SUBMIT A REPORT TO THE SENATE COMMITTEE ON EDUCATION, ENERGY, AND THE ENVIRONMENT AND THE HOUSE WAYS AND MEANS COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THAT DESCRIBES:

(I) THE STATUS OF THE DATA SHARING AGREEMENT;

(II) HOW THE DATA IS BEING USED TO FURTHER THE PURPOSES AND STATED VALUE OF THE DATA SHARING AGREEMENT; AND

(III) ANY VIOLATIONS OF THE DATA SHARING AGREEMENT, IF ANY, AND STEPS TAKEN TO REMEDY THE VIOLATIONS.

24-704.

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

(g) The Governing Board shall:

(1) Establish the organizational placement and location of the Center after seeking and evaluating proposals from interested entities based on criteria that shall include:

system;

- (i) The ability of the entity to support the operation of a large data system;
- (ii) Strength of funding support; and
- (iii) Expertise in data security;

(2) Develop an implementation plan to phase in the establishment and operation of the Maryland Longitudinal Data System and the Center;

(3) Provide general oversight and direction to the Center;

(4) Approve the annual budget for the Center;

(5) Establish the policy and research agenda of the Center;

(6) Before the incorporation of any individual data in the Maryland Longitudinal Data System:

(i) Create an inventory of the individual student data:

- 1. Proposed to be maintained in the system; and
- 2. Required to be reported by State and federal education mandates;

(ii) 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 Governing Board; and

(iii) Develop a detailed data security and safeguarding plan that includes:

- 1. Authorized access and authentication for authorized access;
- 2. Privacy compliance standards;
- 3. Privacy and security audits;
- 4. Breach notification and procedures; and
- 5. Data retention and disposition policies;

(7) APPROVE DATA SHARING WITH THIRD-PARTY DATA CENTERS IN ACCORDANCE WITH § 24-703.4 OF THIS SUBTITLE;

[(7)] (8) Oversee routine and ongoing compliance with the federal Family Educational Rights and Privacy Act and other relevant privacy laws and policies;

[(8)] (9) Ensure that any contracts that govern databases that are outsourced to private vendors include express provisions that safeguard privacy and security and include penalties for noncompliance;

[(9)] (10) Designate a standard and compliance timeline for electronic transcripts that includes the use of SASID to ensure the uniform and efficient transfer of student data between local education agencies and institutions of higher education; and

[(10)] (11) Review research requirements and set policies for the approval of data requests from State and local agencies, the Maryland General Assembly, and the public.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.

Approved by the Governor, April 14, 2026.