

AMENDMENTS TO SENATE BILL 983

(First Reading File Bill)

AMENDMENT NO. 1

Amend purpose paragraph

On page 1 strike beginning on line 18 down through page 6 line 29.

AMENDMENT NO. 2

On page 1, after line 17, insert:

BY repealing and reenacting, with amendments,

Article – Education

Section 24-701 and 24-704(b)

Annotated Code of Maryland

(2019 Replacement Volume)

BY adding to:

Article – Education

Section 24-703.4

Annotated Code of Maryland

(2019 Replacement Volume)

§24-701.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Center” means the Maryland Longitudinal Data System Center.
- (c) “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) “Governing Board” means the Governing Board of the Maryland Longitudinal Data System Center.
- (e) “PROGRAM” MEANS THE MARYLAND DATA ANALYSIS AND ACCOUNTABILITY PROGRAM.<sup>1</sup>
- (F) “State Assigned Student Identifier” or “SASID” means the identifier assigned to each student by:

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<sup>1</sup> From 24-7A-01(e)

(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) [(f)] (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.

(3) “Student data” does not include:

(i) Criminal and CINA records; and

(ii) Medical and health records.

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

(1) Employment status;

(2) Wage information;

(3) Geographic location of employment; and

(4) Employer information.

§ 24-703.4

**(A) THERE IS A MARYLAND DATA ANALYSIS AND ACCOUNTABILITY PROGRAM TO BE ADMINISTERED BY THE CENTER.<sup>2</sup>**

**(B) THE PURPOSE OF THE PROGRAM IS TO EVALUATE THE SUCCESS OF THE BLUEPRINT FOR MARYLAND’S FUTURE UNDER THE EDUCATION ARTICLE.<sup>3</sup>**

**(C) IN ADMINISTERING THE PROGRAM, THE CENTER SHALL PERFORM THE FOLLOWING DUTIES AND FUNCTIONS:<sup>4</sup>**

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<sup>2</sup> 24-7A-02(a)

<sup>3</sup> From 24-7A-02(b)

<sup>4</sup> From 24-7A-02(c)

(I) PROVIDE THE ACCOUNTABILITY AND IMPLEMENTATION BOARD, ESTABLISHED UNDER TITLE 5, SUBTITLE 4 OF THIS ARTICLE, WITH ALL REQUIRED EVALUATIONS OF THE OUTCOMES ACHIEVED DURING THE IMPLANTATION OF THE BLUEPRINT FOR MARYLAND'S FUTURE;<sup>5</sup>

(II) PROVIDE PROJECTIONS SHOWING THE LIKELIHOOD OF STUDENTS REACHING SPECIFIC PERFORMANCE LEVELS IN LATER GRADES;<sup>6</sup>

(III) ANALYZE THE 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:<sup>7</sup>

1. MARYLAND DEPARTMENT OF HEALTH
2. MARYLAND DEPARTMENT OF JUVENILE SERVICES;
3. MARYLAND DEPARTMENT OF HUMAN SERVICES;

(IV) CONDUCT ANALYSES ON THE SUCCESS OF THE BLUEPRINT FOR MARYLAND'S FUTURE IN IMPROVING THE FOLLOWING:<sup>8</sup>

1. EARLY CHILDHOOD EDUCATION;
2. HIGH QUALITY AND DIVERSE TEACHERS;
3. COLLEGE AND CAREER READINESS PATHWAYS; AND
4. ELIMINATING THE OPPORTUNITY AND ACHIEVEMENT GAPS BETWEEN STUDENT GROUPS;

(V) REVIEW DATA AND PROVIDE RESEARCH TO DETERMINE THE SUCCESS OF THE IMPLEMENTATION OF EACH OF THE BLUEPRINT FOR MARYLAND'S FUTURE.<sup>9</sup>

(VI) PROVIDE TRANSPARENCY OF BUDGETING BY TRACKING APPROPRIATIONS, ALLOCATIONS, AND USES OF FUNDING ASSOCIATED WITH THE BLUEPRINT FOR MARYLAND'S FUTURE, INCLUDING THE IMPACT OF THE FUNDS ON PERFORMANCE OUTCOMES.<sup>10</sup>

(D) THE GOVERNING BOARD SHALL:<sup>11</sup>

- (I) PROVIDE GENERAL OVERSIGHT AND DIRECTION TO THE PROGRAM;
- (II) APPROVE THE ANNUAL BUDGET FOR THE PROGRAM;
- (III) ESTABLISH THE POLICY AND RESEARCH AGENDA OF THE PROGRAM;
- (IV) DETERMINE DATA NECESSARY FOR THE CENTER TO CARRY OUT ITS DUTIES UNDER THE PROGRAM AND, EXCEPT AS

PROHIBITED BY LAW, REQUIRE EVERY STATE AND LOCAL GOVERNMENT AGENCY, INCLUDING COUNTY BOARDS OF EDUCATION TO PROVIDE THE CENTER WITH THAT DATA.

(F) (1) ON OR BEFORE DECEMBER 15 EACH YEAR, THE CENTER SHALL REPORT TO THE GOVERNOR, THE COUNTY BOARDS, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON THE SUCCESS OF THE BLUEPRINT FOR THE MARYLAND'S FUTURE AND MAKE RECOMMENDATIONS FOR CHANGES TO LAW, REGULATIONS, POLICIES, OR PRACTICES TO IMPROVE STUDENT PERFORMANCE INCLUDING:

- (I) LONGITUDINAL RESULTS FROM IMPLEMENTING EARLY CHILDHOOD PROGRAMS;
- (II) EDUCATIONAL AND OTHER INDICATORS OF STUDENT SUCCESS;
- (III) CLOSING EQUITY AND OTHER SOCIOECONOMIC GAPS; AND
- (IV) LONGITUDINAL RESULTS FROM IMPLEMENTING COLLEGE AND CAREER READINESS PROGRAMS.

(2) THE REPORT SHALL INCLUDE ANY AGENCIES THAT FAIL TO PROVIDE THE CENTER WITH REQUESTED DATA.

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<sup>5</sup> Added to refer to the Accountability and Oversight Board and the role of the program in fulfilling the Board's evaluation needs.

<sup>6</sup> From 24-7A-02(c)(1)(v) – (i) – (iv) were removed because it is about collecting data already present in the MLDS

<sup>7</sup> From 24-7A--02(c)(3) – made it a requirement instead of “consider”

<sup>8</sup> From 24-7A--02(c)(4)

<sup>9</sup> From 24-7A--02(c)(5)

<sup>10</sup> From 24-7A--02(c)(6) – note subsection (d) was deleted – Center already has the duty to conduct these functions and (e) was also removed because the Center can already hire staff necessary to carry out its duties

<sup>11</sup> From 24-7A-04(f) – note (a) – (e) of this section were not included, and (f)(4) is not included – already a function of the Board generally

**(G) THE BUDGET FOR THE CENTER TO ADMINISTER THE PROGRAM SHALL BE AS PROVIDED IN THE ANNUAL STATE BUDGET.<sup>12</sup>**

§ 24-704.

(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) A representative of local superintendents of schools, appointed by the Governor with the

advice and consent of the Senate;

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

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

(10) Four members of the public, appointed by the Governor with the advice and consent of the Senate;

**(11) ONE MEMBER OF THE SENATE, APPOINTED BY THE PRESIDENT OF THE SENATE; AND**

**(12) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE SPEAKER OF THE HOUSE.**

(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:

- (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;

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<sup>12</sup> From 24-7A-02(f)

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) Oversee routine and ongoing compliance with the federal Family Educational Rights and Privacy Act and other relevant privacy laws and policies;
- (8) 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) 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) Review research requirements and set policies for the approval of data requests from State and local agencies, the Maryland General Assembly, and the public[.];
- (11) Provide oversight for the Data Analysis and Accountability Program under §24-703.4 of this subtitle.**