



**Bill:** SB 325 – Student Data Privacy – Protections, Digital Tools, and Student Data Privacy Council

**Date:** March 24<sup>th</sup>, 2022

**Position:** Opposed

**Committee:** Ways and Means

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College Board is a mission-driven not-for-profit organization that connects students to college success. Maryland schools offer College Board assessments, such as PSAT and SAT, to measure readiness for college and to access scholarships. While many students take these assessments during school, students primarily take these assessments and access their College Board accounts on their own outside of the school day. Beginning in 2023-24 school year, these exams will be offered digitally to Maryland students.

As currently written, SB 325 will change the definition of “operator” to include any online entities that are used for a PreK-12 school purpose or at the direction of a teacher, while the previous definition only included entities *primarily* used for a PreK-12 school purpose *and* at the direction of a teacher. This definitional change will limit College Board’s ability to provide Maryland students free services to help connect students to opportunities and postsecondary planning tools outside of school.

Additionally, SB 325 would reduce the College Board’s ability to connect students to colleges and scholarship opportunities, and College Board may not be able to notify students about key steps they need to complete to prepare for postsecondary success.

[BigFuture](#) is the College Board’s free college and career planning tool, designed to support students as they plan for life after high school. Under SB 325’s limits on targeted advertising for operators, College Board might not be able to nudge students to take key steps on the path to postsecondary success (such as build a college list, complete the FAFSA, and apply to college). SB 325 would also limit College Board’s ability to notify students about [BigFuture Scholarships](#), which provide students the chances to win scholarships for taking key steps to plan for college. **In the past three years, 432 Maryland students have earned \$512,500 in BigFuture scholarships.**

Lastly, SB 325 would limit students’ ability to opt into [Student Search](#). Search is the way thousands of colleges and scholarships connect with more than 5 million students. Participation in Search is free for students, and it’s not automatic—students and families choose to sign up and can opt out at any time. Protecting students’ data remains one of our top priorities, and we want to make sure students have access to all the opportunities available to them while protecting their privacy. Colleges are required to adhere to strict guidelines to ensure student data remains private and used only for educational purposes.

Students contacted by colleges through Student Search are, on average, 25% more likely to enroll in a 4-year college and 31% more likely to graduate on time from a 4-year college. Such gains are even more pronounced for Black and Hispanic students. Black and Hispanic students contacted by colleges via Search are 46% and 66%, respectively, more likely to apply to that college than identical Black and Hispanic students with comparable academic backgrounds who didn’t receive information through Search. First-generation college students are also more likely to benefit from Search: the gain in 4-year college graduation for students participating in Search is much higher for first-generation students than other students.

College Board recommends SB 325 be amended to ensure students continue to have access to current higher education and scholarship opportunities afforded to them.

**Amendment Solution:**

College Board recommends an amendment to the operator definition to exempt the providers of nationally recognized high school exams that are used for college entrance or placement, college credit, or scholarship opportunities.