



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**SB 659 – Student Privacy Policy Requirements and Discrimination Reporting**

Chair Feldman, Vice Chair Kagan, colleagues on EEE.

SB 659 seeks to strengthen student privacy protections and anti-discrimination policies for students in Maryland's nonpublic schools. Currently, student privacy policy and discrimination reporting requirements differ between Maryland's public and nonpublic (private pay, publicly funded, and church-exempt<sup>1</sup>) schools. By aligning certain privacy and discrimination policies between public and nonpublic schools, the state can better protect students from victimization and inequity in these areas.

The request for this legislation came from a constituent, a parent of children attending a private pay school in Montgomery County. When this constituent pursued various avenues (stopping short of litigation) to address his privacy violation and discrimination allegations at this school, he found that certain protections available to public school students were unavailable to private school students.

This bill:

- Requires private-pay primary and secondary schools to protect the privacy of students' personal information by developing written policies and procedures, including a formal policy statement, in line with those already required for public and publicly funded private schools.<sup>2</sup>
- Expands the current anti-discrimination certification reporting requirement (with certain exceptions for church-exempt schools) to mandate nonpublic pre-kindergarten, primary, and secondary schools to report to the Maryland State Department of Education (MSDE) annually the number of discrimination complaints on the grounds of race, ethnicity, color, religion, sex, age, national, origin, marital status, sexual orientation, gender identity, or disability along with other factual data. Obligates MSDE to submit a report on this information to the Governor and the Maryland General Assembly each year.

These requirements will help protect Maryland families and their students in nonpublic schools from privacy violations and acts of discrimination. For these reasons, I ask for a favorable report on SB 659.

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<sup>1</sup> <https://marylandpublicschools.org/about/Pages/DEE/NPSA/index.aspx>

<sup>2</sup> Note: This bill codifies what is already in administrative law for public and publicly funded private schools in terms of student privacy requirements, but makes no changes.