



621 Ridgely Avenue, Suite 300, Annapolis, Maryland 21401
410-841-5414 · 800-841-8197 · Fax: 410-841-6580 · MABE.org

BILL: Senate Bill 659
TITLE: Prekindergarten Programs and Primary and Secondary Schools - Student Privacy Policy Requirements and Discrimination Reporting
HEARING DATE: March 4, 2026
POSITION: Letter of Information
COMMITTEE: Education, Energy and the Environment
CONTACT: Jessica Goff, Governmental Affairs Associate (jgoff@mabe.org)

The Maryland Association of Boards of Education (MABE), representing all 24 local boards of education in Maryland, respectfully **submits this letter of information on Prekindergarten Programs and Primary and Secondary Schools - Student Privacy Policy Requirements and Discrimination Reporting.**

Senate Bill 659 requires public and nonpublic schools to adopt written policies and procedures on protecting the right of privacy of a student and a student's parent or guardian regarding access to and the release of the student's records. Senate Bill 659 states that the policies must include procedures that parents and guardians must follow to inspect or review the records of their child, and procedures by which the school must maintain a written record of all requests for, and disclosure of, personal identifying information, that includes the student's name, the name of the reviewer, the date of the review, and the purpose of the review. Senate Bill 659 also addresses nonpublic school discrimination reporting requirements. MABE's testimony only addresses the former privacy provisions, not the latter reporting requirements for nonpublic schools.

It is our understanding that Senate Bill 659's sponsor intends to only affect nonpublic schools through this legislation, and does not intend, in any way, to change the applicable law for public schools. To the extent this bill would in any way alter the robust privacy and records processes of our local school systems in place that align to FERPA, we oppose on that basis only. All public schools in Maryland must adhere to the requirements in the Federal Family Educational Rights and Privacy Act (FERPA), which can be found in section 444 of the General Education Provisions Act (GEPA) and its implementing regulations in 34 CFR Part 99.

For these reasons, **MABE submits this letter of information for SB 659.**