

SENATE BILL 983

F5

0lr3373

By: **Senators Hester and Serafini**

Introduced and read first time: February 3, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Maryland Data Analysis and Accountability Program – Established**

3 FOR the purpose of establishing the Maryland Data Analysis and Accountability Program
4 in the Maryland Longitudinal Data System Center; requiring the Center to
5 administer the Program in consultation with certain agencies; stating the purpose of
6 the Program; requiring the Center to perform certain functions and duties; requiring
7 the Center to procure certain items; authorizing the Center to procure certain
8 services; authorizing the Center to hire certain staff; providing that the budget for
9 the Program shall be as provided in the State budget; requiring certain agencies to
10 provide access to the Center to certain data unless otherwise prohibited; establishing
11 a certain governing board with certain membership subject to certain terms;
12 requiring a certain executive director to chair the board; stating whether the member
13 may receive certain compensation or reimbursements; providing for the duties of the
14 board; requiring the Center to make a certain report to the General Assembly, the
15 Governor, certain oversight boards, and local boards on or before a certain date each
16 year; defining certain terms; and generally relating to establishing the Maryland
17 Data Analysis and Accountability Program.

18 BY adding to

19 Article – Education

20 Section 24–7A–01 through 24–7A–05 to be under the new subtitle “Subtitle 7A.
21 Maryland Data Analysis and Accountability Program”

22 Annotated Code of Maryland

23 (2018 Replacement Volume and 2019 Supplement)

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

26 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SUBTITLE 7A. MARYLAND DATA ANALYSIS AND ACCOUNTABILITY PROGRAM.

24-7A-01.

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

(B) “BOARD” MEANS THE GOVERNING BOARD OF THE MARYLAND DATA ANALYSIS AND ACCOUNTABILITY PROGRAM.

(C) “CENTER” HAS THE MEANING STATED IN § 24-701 OF THIS TITLE.

(D) “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.

(E) “PROGRAM” MEANS THE MARYLAND DATA ANALYSIS AND ACCOUNTABILITY PROGRAM.

(F) “SYSTEM” MEANS THE DATABASE USED BY THE PROGRAM FOR THE PURPOSES OF THE PROGRAM.

24-7A-02.

(A) THERE IS A MARYLAND DATA ANALYSIS AND ACCOUNTABILITY PROGRAM TO BE ADMINISTERED BY THE CENTER IN CONSULTATION WITH THE DEPARTMENT AND THE DEPARTMENT OF INFORMATION TECHNOLOGY IN ACCORDANCE WITH THIS SUBTITLE.

(B) THE PURPOSE OF THE PROGRAM IS TO EVALUATE THE SUCCESS OF THE BLUEPRINT FOR MARYLAND’S FUTURE UNDER THE EDUCATION ARTICLE.

(C) IN ADMINISTERING THE PROGRAM, THE CENTER SHALL PERFORM THE FOLLOWING FUNCTIONS AND DUTIES:

(1) COORDINATE ONGOING DATA INTEGRATION EFFORTS USING DE-IDENTIFIED DATA FROM COUNTY BOARDS OF EDUCATION INCLUDING:

(I) PRIOR AND CURRENT ASSESSMENTS THAT ARE APPROPRIATE FOR MEASURING STUDENT GROWTH;

(II) STUDENT GROWTH MEASURED AT THE STATE, COUNTY, SCHOOL, AND STUDENT SUBGROUP LEVEL;

1 (III) GROWTH OF STUDENTS WHO HAVE MISSING ASSESSMENT
2 DATA;

3 (IV) STANDARDIZED ASSESSMENT DATA FROM MULTIPLE
4 GRADES AND SUBJECTS THAT MEET INCLUSION CRITERIA; AND

5 (V) PROJECTIONS SHOWING THE LIKELIHOOD OF STUDENTS
6 REACHING SPECIFIC PERFORMANCE LEVELS IN LATER GRADES;

7 (2) IDENTIFY EXISTING DATA SOURCES HOUSED AT STATE AND
8 LOCAL GOVERNMENT AGENCIES THAT CAN BE USED TO IMPROVE SERVICE
9 DELIVERY AND EDUCATIONAL OUTCOMES FOR PUBLIC SCHOOL STUDENTS;

10 (3) CONSIDER ANALYZING SOCIAL DETERMINANTS FROM THE
11 FOLLOWING STATE AGENCIES AND APPROPRIATE LOCAL AGENCIES THAT IMPACT
12 THE EDUCATION PERFORMANCE OF STUDENTS AND INDICATE THE NEED FOR
13 WRAPAROUND SERVICES OF STUDENTS:

14 (I) THE MARYLAND DEPARTMENT OF HEALTH;

15 (II) THE DEPARTMENT OF JUVENILE SERVICES; AND

16 (III) THE DEPARTMENT OF HUMAN SERVICES;

17 (4) CONDUCT AN ANALYSIS ON THE SUCCESS OF THE BLUEPRINT FOR
18 MARYLAND'S FUTURE IN IMPROVING THE FOLLOWING:

19 (I) EARLY CHILDHOOD EDUCATION;

20 (II) HIGH QUALITY AND DIVERSE TEACHERS;

21 (III) COLLEGE AND CAREER READINESS PATHWAYS; AND

22 (IV) ELIMINATING THE OPPORTUNITY AND ACHIEVEMENT GAPS
23 BETWEEN STUDENT GROUPS;

24 (5) REVIEW DATA AND PROVIDE RESEARCH TO DETERMINE THE
25 SUCCESS OF THE IMPLEMENTATION OF EACH OF THE BLUEPRINT FOR MARYLAND'S
26 FUTURE CORE POLICY AREAS; AND

27 (6) PROVIDE TRANSPARENCY OF BUDGETING BY TRACKING
28 APPROPRIATIONS, ALLOCATIONS, AND USES OF FUNDING ASSOCIATED WITH THE

BLUEPRINT FOR MARYLAND'S FUTURE, INCLUDING THE IMPACT OF THE FUNDS ON PERFORMANCE OUTCOMES.

(D) (1) THE CENTER SHALL PROCURE THE HARDWARE AND SOFTWARE NECESSARY TO CARRY OUT THIS SUBTITLE.

(2) THE CENTER MAY PROCURE PROFESSIONAL SERVICES AS APPROPRIATE.

(3) THE CENTER SHALL ENSURE SUFFICIENT SERVICES TO DEVELOP AND MAINTAIN THE SYSTEM.

(E) THE CENTER MAY HIRE THE STAFF NECESSARY TO CARRY OUT THIS SUBTITLE.

(F) THE BUDGET FOR THE CENTER TO ADMINISTER THE PROGRAM SHALL BE AS PROVIDED IN THE ANNUAL STATE BUDGET.

24-7A-03.

EXCEPT AS PROHIBITED BY LAW, EVERY STATE AND LOCAL GOVERNMENT AGENCY INCLUDING THE COUNTY BOARDS OF EDUCATION SHALL PROVIDE THE CENTER ACCESS TO ALL INFORMATION NECESSARY FOR THE CENTER TO CARRY OUT ITS DUTIES UNDER THE PROGRAM.

24-7A-04.

(A) THERE IS A GOVERNING BOARD OF THE MARYLAND DATA ANALYSIS AND ACCOUNTABILITY PROGRAM.

(B) THE BOARD SHALL INCLUDE THE FOLLOWING MEMBERS:

(1) THE STATE SUPERINTENDENT OF SCHOOLS, OR THE SUPERINTENDENT'S DESIGNEE;

(2) THE SECRETARY OF HEALTH, OR THE SECRETARY'S DESIGNEE;

(3) THE SECRETARY OF LABOR, OR THE SECRETARY'S DESIGNEE;

(4) A REPRESENTATIVE OF LOCAL SUPERINTENDENTS OF PUBLIC SCHOOLS, APPOINTED BY THE GOVERNOR;

(5) A MEMBER OF THE STATE BOARD OF EDUCATION, APPOINTED BY

1 THE GOVERNOR;

2 (6) TWO MEMBERS OF THE PUBLIC APPOINTED BY THE SPEAKER OF
3 THE HOUSE OF DELEGATES; AND

4 (7) TWO MEMBERS OF THE PUBLIC APPOINTED BY THE PRESIDENT
5 OF THE SENATE.

6 (C) THE EXECUTIVE DIRECTOR OF THE CENTER SHALL BE THE CHAIR OF
7 THE BOARD.

8 (D) AN APPOINTED MEMBER:

9 (1) SERVES AT THE PLEASURE OF THE APPOINTING OFFICIAL;

10 (2) SERVES FOR A TERM OF 3 YEARS AND UNTIL A SUCCESSOR IS
11 APPOINTED AND QUALIFIES; AND

12 (3) MAY BE REAPPOINTED BUT MAY NOT SERVE MORE THAN TWO
13 CONSECUTIVE TERMS.

14 (E) A MEMBER OF THE BOARD:

15 (1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD;
16 BUT

17 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
18 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

19 (F) THE BOARD SHALL:

20 (1) PROVIDE GENERAL OVERSIGHT AND DIRECTION TO THE
21 PROGRAM;

22 (2) APPROVE THE ANNUAL BUDGET FOR THE PROGRAM;

23 (3) ESTABLISH THE POLICY AND RESEARCH AGENDA OF THE
24 PROGRAM;

25 (4) BEFORE THE INCORPORATION OF ANY INDIVIDUAL DATA IN THE
26 SYSTEM;

27 (I) 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 BOARD; AND

(II) 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; AND

(5) OVERSEE ROUTINE AND ONGOING COMPLIANCE WITH THE
FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT AND OTHER RELEVANT
PRIVACY LAWS AND POLICIES.

24-7A-05.

(A) ON OR BEFORE DECEMBER 15 EACH YEAR, THE CENTER SHALL REPORT
TO THE GOVERNOR, AN OVERSIGHT BOARD OF THE BLUEPRINT FOR MARYLAND'S
FUTURE, 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:

(1) LONGITUDINAL RESULTS FROM IMPLEMENTING EARLY
CHILDHOOD PROGRAMS;

(2) EDUCATIONAL AND OTHER INDICATORS OF STUDENT SUCCESS;

(3) CLOSING EQUITY AND OTHER SOCIOECONOMIC GAPS; AND

(4) LONGITUDINAL RESULTS FROM IMPLEMENTING COLLEGE AND
CAREER READINESS PROGRAMS.

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

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2020.