

HOUSE BILL 711

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0lr1143

By: **Delegates Kaiser, Ebersole, Luedtke, and Washington**

Introduced and read first time: January 30, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Longitudinal Data System Center – Inclusion of Out-of-Home**
3 **Placement Data**

4 FOR the purpose of including placement data from State-sponsored out-of-home care
5 originations in the data collected, organized, managed, disaggregated, reported on,
6 and analyzed by the Maryland Longitudinal Data System Center; altering the
7 purpose of the Center to include using information about children who were provided
8 with State-sponsored out-of-home care; adding the Social Services Administration
9 within the Department of Human Services as one of the organizations providing the
10 Center with data; requiring the Center to conduct research on the educational and
11 economic impact of childhood out-of-home placement; requiring the Center to
12 annually report to the Governor and General Assembly on certain information
13 relating to out-of-home children; requiring the Department of Human Services to
14 make every effort to comply with certain data requirements; making conforming
15 changes; defining a certain term; and generally relating to the inclusion of placement
16 data in the Maryland Longitudinal Data System.

17 BY repealing and reenacting, with amendments,
18 Article – Education
19 Section 24-701, 24-702, 24-703(f), 24-703.1, and 24-707(a)
20 Annotated Code of Maryland
21 (2018 Replacement Volume and 2019 Supplement)

22 BY repealing and reenacting, without amendments,
23 Article – Education
24 Section 24-703(a)
25 Annotated Code of Maryland
26 (2018 Replacement Volume and 2019 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

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) (1) “PLACEMENT DATA” MEANS DATA RELATING TO A CHILD’S EXPERIENCE WITH STATE–SPONSORED OUT–OF–HOME CARE.

(2) “PLACEMENT DATA” INCLUDES:

(I) SUPERVISING JURISDICTION;

(II) REMOVAL REASON;

(III) CHARACTERISTICS AT THE TIME OF REMOVAL;

(IV) RETURN REASON;

(V) PLACEMENT START AND END DATES; AND

(VI) PLACEMENT TYPE.

[(e)] (F) “State Assigned Student Identifier” or “SASID” means the identifier assigned to each student by:

(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.

[(f)] (G) (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.

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

- (1) Employment status;
- (2) Wage information;
- (3) Geographic location of employment; and
- (4) Employer information.

24–702.

(a) The State Department of Education, Maryland Higher Education Commission, University System of Maryland, Morgan State University, St. Mary’s College of Maryland, and Maryland Department of Labor jointly shall establish the Maryland Longitudinal Data System that shall be fully operational by December 31, 2014.

(b) The Maryland Longitudinal Data System is a statewide data system that contains individual-level student data, **PLACEMENT DATA**, and workforce data from all

levels of education, **STATE-SPONSORED OUT-OF-HOME CARE**, and the State's workforce, and allows the Center to:

(1) Effectively organize, manage, disaggregate, and analyze individual student data **AND PLACEMENT DATA**; and

(2) Examine student progress and outcomes over time, including preparation for postsecondary education and the workforce.

(c) The linkage of student data, **PLACEMENT DATA**, and workforce data for the purposes of the Maryland Longitudinal Data System shall be limited to no longer than 20 years from the date of latest attendance in any educational institution in the State.

(d) The purpose of the Maryland Longitudinal Data System is to:

(1) Generate timely and accurate information about student performance that can be used to improve the State's education system and guide decision makers at all levels; [and]

(2) **GENERATE TIMELY AND ACCURATE INFORMATION ABOUT CHILDREN WHO WERE PROVIDED WITH STATE-SPONSORED OUT-OF-HOME CARE THAT CAN BE USED TO IMPROVE THE STATE'S EDUCATION AND CHILD WELFARE SYSTEMS AND GUIDE DECISIONS MADE AT ALL LEVELS; AND**

(3) Facilitate and enable the linkage of student data, **PLACEMENT DATA**, and workforce data.

24-703.

(a) There is a Maryland Longitudinal Data System Center.

(f) The Center shall perform the following functions and duties:

(1) Serve as a central repository of student data, **PLACEMENT DATA**, and workforce data in the Maryland Longitudinal Data System, including data sets provided by:

(i) The State Department of Education;

(ii) Local education agencies;

(iii) The Maryland Higher Education Commission;

(iv) Institutions of higher education;

(v) The Maryland Department of Labor; [and]

(vi) The Department of Juvenile Services; AND

**(VII) THE SOCIAL SERVICES ADMINISTRATION WITHIN THE
DEPARTMENT OF HUMAN SERVICES;**

(2) Oversee and maintain the warehouse of the Maryland Longitudinal Data System data sets;

(3) Ensure routine and ongoing compliance with the federal Family Educational Rights and Privacy Act and other relevant privacy laws and policies, including:

(i) The required use of de-identified data in data research and reporting;

(ii) The required disposition of information that is no longer needed;

(iii) Providing data security, including the capacity for audit trails;

(iv) Providing for performance of regular audits for compliance with data privacy and security standards; and

(v) Implementing guidelines and policies that prevent the reporting of other potentially identifying data;

(4) Conduct research using timely and accurate student data and workforce data to improve the State's education system and guide decision making by State and local governments, educational agencies, institutions, teachers, and other education professionals;

(5) Conduct research relating to:

(i) The impact of State and federal education programs;

(ii) The performance of educator preparation programs; [and]

(iii) Best practices regarding classroom instruction, education programs and curriculum, and segment alignment; AND

**(IV) THE IMPACT ON EDUCATIONAL AND ECONOMIC OUTCOMES
OF CHILDHOOD OUT-OF-HOME PLACEMENT;**

(6) Fulfill information and data requests to facilitate State and federal education reporting with existing State agencies as appropriate; and

(7) Fulfill approved public information requests.

24-703.1.

(A) The Center shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly on or before December 15 of each year, disaggregated by local school system, regarding:

(1) The number of students who are dually enrolled under Title 18, Subtitle 14A of this article; and

(2) The number and course name of the courses in which a student under item (1) of this [section] SUBSECTION dually enrolls at the high school and at the public institution of higher education.

(B) (1) THE CENTER SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 15 EACH YEAR, DISAGGREGATED BY COUNTY, THE EXPERIENCE FOR FORMER OUT-OF-HOME CHILDREN AND HOW OUT-OF-HOME PLACEMENT AFFECTED PARTICIPATION IN HIGHER EDUCATION.

(2) IN ISSUING ITS REPORT UNDER THIS SUBSECTION, THE CENTER SHALL REPORT INFORMATION ON:

(I) THE RATE OF ENROLLMENT IN INSTITUTIONS OF HIGHER EDUCATION BY PLACEMENT;

(II) THE TYPE OF INSTITUTION OF HIGHER EDUCATION IN WHICH OUT-OF-HOME CHILDREN ARE ENROLLED;

(III) THE TYPE OF FINANCIAL SUPPORT PROVIDED TO OUT-OF-HOME CHILDREN ENROLLED IN AN INSTITUTION OF HIGHER EDUCATION; AND

(IV) THE GRADUATION RATE FOR OUT-OF-HOME CHILDREN FROM INSTITUTIONS OF HIGHER EDUCATION.

24-707.

(a) Local education agencies, community colleges, public senior higher education institutions, **THE DEPARTMENT OF HUMAN SERVICES**, and **OTHER** State agencies shall:

(1) Make every effort to comply with the data requirements and implementation schedule for the Maryland Longitudinal Data System as set forth by the Governing Board; and

1 (2) Transfer student data and workforce data to the Maryland
2 Longitudinal Data System in accordance with the data security and safeguarding plan
3 developed under § 24-704(g)(6) of this subtitle.

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