

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 463
Appropriations

(Delegate Kerr)

Maryland Higher Education Commission – Demographic Data Collection –
Parental Status

This bill requires the Maryland Higher Education Commission (MHEC) to collect data from each public institution of higher education in the State on the parental status of students enrolled in each institution, using questions developed as specified. Each public institution must place the questions developed under the bill on one or more forms that are used by the institution to collect demographic data from students. Each public institution must make the data collected available to MHEC as specified. By September 1, 2025, and each September 1 thereafter, MHEC must submit a report, to specified committees of the General Assembly, that summarizes the data collected. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: Public four-year institution and Baltimore City Community College higher education expenditures increase, likely minimally, in FY 2025 to update software to collect the required parental status data. Data can be transferred to MHEC in FY 2025 and thereafter using existing resources. MHEC can collect and report data regarding the parental status of students from each public institution using existing resources. Revenues are not affected.

Local Effect: Local community college higher education expenditures increase, likely minimally, in FY 2025 to update software to collect the required parental status data. Data can be transferred to MHEC in FY 2025 and thereafter using existing resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: MHEC, in consultation with the public institutions of higher education, must develop questions that allow each student to identify:

- whether the student is a parent, acting as a parent, or a legal guardian;
- the age of the children for which the student has responsibility; and
- the type of caregiving responsibilities, including whether the student is a single parent or shares parental responsibilities with someone in the same household or a different household.

MHEC must adopt regulations to implement the bill, including (1) establishing a common format and timeframe for the collection and reporting of the data and (2) a requirement that the collection of parental status data be included with the collection of other demographic data.

Current Law: Under federal law – specifically, Title IX of the Education Amendments of 1972 – discrimination on the basis of sex in educational programs and activities is prohibited for all educational institutions receiving federal funding. Every institution that receives federal financial assistance is bound by Title IX; however, an educational institution that is controlled by a religious organization is exempt from Title IX when the law’s requirements would conflict with the organization’s religious tenets.

Federal regulations implementing Title IX prohibit discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions and prohibit a school from applying any rule related to a student’s parental, family, or marital status that treats students differently based on their sex.

Institutions may not exclude a pregnant student from participating in any part of an educational program. Institutions may implement special instructional programs or classes for a pregnant student; participation must be completely voluntary on the part of the student, and the programs and classes must be comparable to those offered to other students.

State/Local Expenditures: Several public institutions report that the information on parental status is not currently collected; thus, the demographic questions need to be added to their applicant and at least one other student data collection method (to be able to capture the information from rematriculating existing students). Although one-time cost estimates vary, the Department of Legislative Services advises that the software updates needed to collect the information required by the bill are likely, for most institutions, minimal one-time costs in fiscal 2025. The impact may be greater for institutions with large student

populations, particularly those with older students who are more likely to be parents. Further, it is assumed that ongoing collection of this data and reporting it to MHEC by institutions can be done using existing resources. MHEC can collect and report the data from institutions using existing resources.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Higher Education Commission; University System of Maryland; Morgan State University; St. Mary's College of Maryland; Department of Legislative Services

Fiscal Note History: First Reader - February 26, 2024
rh/ljm

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