

Senate Bill 733 - *Education - Student Data Privacy - Reports and Student Data Privacy Council Sunset Extension*

Senate Education, Health, and Environmental Affairs Committee

March 9, 2021

decisions include why a local school system has chosen not to contract with a particular operator and when an operator is unwilling to negotiate. The proposed legislation does not include this type of information.

The MSDE supports an online database of:

1. Operators (as defined by the proposed legislation) with current, active contracts with local school systems;
2. Operators with expired or not-renewed contracts with local school systems;
3. Operators with contracts that failed negotiations with local school systems.

Charge of the Council

The Council recommended changes in the charge of the Council particularly focused on increasing transparency and accountability.

The proposed legislation charges the Council with reporting “best practices for student data privacy protection” for “parents and guardians of students in the state.” Local school systems have annual notification requirements to parents and eligible students under state and federal laws. Additionally, the MSDE Student Data Governance Workgroup is engaged in developing resources and best practices to support local school systems.

The MSDE supports charges to the Council that include promoting transparency on local school system’s contracted operators to families and the public. As written, the current legislation seems to suggest the Council provide best practices to parents and guardians of students rather than supporting local school systems to promote transparency to parents and guardians of students.

Agency Fiscal Impact

The Maryland State Department of Education estimates that SB 733 will have an operational and fiscal impact on the agency. The Division of Assessment, Accountability, and Information Technology would require a subcontractor, at an estimated cost of \$25,000 for design, development, testing, deployment, and review of the online database. As this database would be separate and apart from existing infrastructure, existing data management personnel cannot absorb the additional development workload. After initial deployment of the database, the MSDE would require a part-time education program specialist to collect the information from local school systems, provide technical assistance to personnel in the local school systems for the collection and transmittal of the data, and generally manage the online database. The MSDE estimates 2022 FY costs to be \$71,529.

We respectfully request that you consider this information as you deliberate **SB 733**. For additional information, please contact Zachary Hands at Zachary.hands1@maryland.gov or at 410-767-0504.