

HOUSE BILL 771

F1, J1

11r2358
CF SB 548

By: **Delegate Queen**

Introduced and read first time: January 29, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Centers for Disease Control and Prevention Surveys –**
3 **Revisions**

4 FOR the purpose of requiring the State Department of Education to establish procedures
5 for the administration of certain Centers for Disease Control and Prevention surveys
6 to certain students; repealing the authority of the State Department of Education to
7 omit a certain amount of survey questions under certain circumstances; requiring
8 the State Department of Education to include in the survey certain tiers and
9 questions; requiring, within a certain period of time, the Maryland Department of
10 Health to publish a certain data summary and trends report on certain data; defining
11 a certain term; making a technical change; and generally relating to Centers for
12 Disease Control and Prevention surveys.

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 7–420
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2020 Supplement)

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

20 **Article – Education**

21 7–420.

22 (a) The Department shall establish procedures for the administration of the
23 Centers for Disease Control and Prevention Youth Risk Behavior [Surveillance System
24 survey] **SURVEY/YOUTH TOBACCO SURVEY TO PUBLIC MIDDLE SCHOOL AND HIGH**
25 **SCHOOL STUDENTS IN THE STATE.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The Department [may omit up to a maximum of one-third of the survey
2 questions if the Department considers the content of the questions inappropriate] **SHALL**
3 **INCLUDE IN THE SURVEY ALL TIERS AND QUESTIONS IN THE CENTERS FOR DISEASE**
4 **CONTROL AND PREVENTION YOUTH RISK BEHAVIOR SURVEY ON ADVERSE**
5 **CHILDHOOD EXPERIENCES AND POSITIVE CHILDHOOD EXPERIENCES.**

6 (c) (1) The Department shall require a local school system to utilize passive
7 parental consent before administering the survey.

8 (2) The local school system shall provide each parent with:

9 (i) A statement that:

10 1. Notifies the parent that:

11 A. The survey is confidential;

12 B. The answers will be kept private;

13 C. The student's name will not be required on the survey
14 response sheet; and

15 D. The survey is designed to identify risk behaviors that may
16 include safety behaviors such as use of helmets and seat belts, depression and mental
17 health, use of tobacco, alcohol, or other drugs, nutrition and physical activity, and sexual
18 behavior; and

19 2. Explains how a parent can obtain a copy of the survey
20 questions that will be administered and more information regarding the survey, including
21 the mailing address, telephone number, and website address of the Centers for Disease
22 Control and Prevention; and

23 (ii) Subject to subsection (d) of this section, a denial of permission
24 form that may be returned by the parent to the school.

25 (d) (1) For the academic year during which the survey will be conducted, the
26 denial of permission form shall be a part of the request for emergency contact information
27 that is distributed by the public school to each student or parent or guardian of the student.

28 (2) The denial of permission form shall be distributed only to a student or
29 the parent or guardian of a student who may be subject to the survey administered under
30 this section.

31 **(E) WITHIN 6 MONTHS AFTER RECEIVING CENTERS FOR DISEASE CONTROL**
32 **AND PREVENTION YOUTH RISK BEHAVIOR SURVEY DATA ON ADVERSE CHILDHOOD**

1 EXPERIENCES AND POSITIVE CHILDHOOD EXPERIENCES FROM THE CENTERS FOR
2 DISEASE CONTROL, THE MARYLAND DEPARTMENT OF HEALTH SHALL PUBLISH A
3 STATE- AND COUNTY-LEVEL DATA SUMMARY AND TRENDS REPORT ON THE DATA.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
5 1, 2021.