

Chapter 695

(Senate Bill 978)

AN ACT concerning

Career Preparation Expansion Act

FOR the purpose of ~~requiring the Department of Labor, Licensing, and Regulation to develop a certain mobile application; providing for the purpose of the mobile application; authorizing a student or a student's parent or guardian to release certain information to the Department for inclusion in the mobile application; prohibiting the release of certain information without certain permission; authorizing the Department to contract with a third party to develop the mobile application; requiring the Department to adopt certain regulations;~~ authorizing a student or a student's parent or guardian to release the student's Armed Services Vocational Aptitude Battery score to certain apprenticeship programs and certain employers; ~~requiring~~ *authorizing* the State Department of Education to adopt certain regulations to require the award of credit toward high school graduation requirements for time spent in certain apprenticeship programs; requiring the Maryland Department of Health and the Department of Labor, Licensing, and Regulation to provide the Maryland Higher Education Commission with certain information; requiring the Commission to collect certain information from institutions of postsecondary education; requiring industry certifiers who receive State funds to provide the Commission with certain information; requiring the Commission to provide certain information to the Maryland Longitudinal Data System Center for a certain purpose; requiring the Commission to adopt certain regulations; providing that a workforce development sequence includes a certain apprenticeship program; authorizing a Workforce Development Sequence Scholarship to be used for costs to participate in a certain apprenticeship program; altering a certain reporting requirement for the Workforce Development Sequence Scholarship program; requiring the Maryland Longitudinal Data System Center and the Governor's Workforce Development Board to report certain information to the Governor and the General Assembly on or before a certain date each year; ~~requiring the Secretary of Labor, Licensing, and Regulation to require certain information from each employing unit;~~ defining certain terms; and generally relating to the collection of education and workforce information.

~~BY adding to~~~~Article – Business Regulation~~~~Section 2-111~~~~Annotated Code of Maryland~~~~(2015 Replacement Volume and 2017 Supplement)~~

BY repealing and reenacting, with amendments,

Article – Education

Section 7-111(c), 18-3301(c), 18-3303(b), and 18-3304

Annotated Code of Maryland
(2014 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 7–205.1(a), 18–3301(a), 18–3302, and 24–702
Annotated Code of Maryland
(2014 Replacement Volume and 2017 Supplement)

BY adding to
Article – Education
Section 7–205.1(f); 11–1401 through 11–1406 to be under the new subtitle “Subtitle
14. Collection of Identifying Information on Certificates and Licenses”; and
21–205
Annotated Code of Maryland
(2014 Replacement Volume and 2017 Supplement)

~~BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 8–626
Annotated Code of Maryland
(2016 Replacement Volume and 2017 Supplement)~~

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

~~Article – Business Regulation~~

~~2–111.~~

~~(A) IN THIS SECTION, “CTSO” MEANS A CAREER TECHNOLOGY STUDENT ORGANIZATION AND INCLUDES THE FOLLOWING ORGANIZATIONS:~~

- ~~(1) DECA;~~
- ~~(2) FFA;~~
- ~~(3) FUTURE BUSINESS LEADERS OF AMERICA PHI BETA LAMBDA (FBLA PBL); AND~~
- ~~(4) SKILLSUSA.~~

~~(B) SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT SHALL DEVELOP A MOBILE APPLICATION CONTAINING THE CURRICULUM VITAE FOR EACH STUDENT WHO IS A MEMBER OF A CTSO.~~

~~(C) THE PURPOSE OF THE MOBILE APPLICATION DEVELOPED UNDER THIS SECTION IS TO TARGET EMPLOYERS IN INDUSTRIES WHERE INDUSTRY SKILLS ALIGN WITH THE SKILLS DEVELOPED THROUGH MEMBERSHIP IN THE CTSO.~~

~~(D) (1) A STUDENT OR A STUDENT'S PARENT OR GUARDIAN MAY CHOOSE TO RELEASE THE STUDENT'S PERSONAL INFORMATION TO THE DEPARTMENT FOR INCLUSION IN THE MOBILE APPLICATION.~~

~~(2) THE DEPARTMENT MAY NOT RELEASE THE INFORMATION OF A STUDENT MEMBER OF A CTSO WITHOUT PERMISSION FROM THE STUDENT OR THE STUDENT'S PARENT OR GUARDIAN.~~

~~(E) THE DEPARTMENT MAY CONTRACT WITH A THIRD PARTY TO DEVELOP THE MOBILE APPLICATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.~~

~~(F) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THIS SECTION.~~

Article – Education

7-111.

(c) (1) In this subsection, “ASVAB” means the Armed Services Vocational Aptitude Battery.

(2) Each public school in the State that administers the ASVAB shall choose “Option 8” as the score reporting option for military recruiter contact to prohibit the general release of any student information to military recruiters.

(3) Each public school that administers the ASVAB shall:

(i) Send a written notice to the ASVAB representative coordinating the school’s administration of the ASVAB of the requirement set forth in paragraph (2) of this subsection; and

(ii) Notify students taking the ASVAB and the parent or guardian of students taking the ASVAB of the release of student information requirements set forth in paragraphs (2) and (4) of this subsection.

(4) A student or a student’s parent or guardian may choose to release the student’s personal information and ASVAB scores [to recruiting representatives of the military services] by individually submitting the required forms to the military services authorizing the release of the information TO:

- (I) RECRUITING REPRESENTATIVES OF THE MILITARY SERVICES;
- (II) REGISTERED APPRENTICESHIP PROGRAMS;
- (III) YOUTH APPRENTICESHIP PROGRAMS UNDER TITLE 18, SUBTITLE 18 OF THIS ARTICLE; AND
- (IV) EMPLOYERS REGISTERED WITH:
 - 1. THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION; OR
 - 2. LOCAL WORKFORCE DEVELOPMENT BOARDS.

7-205.1.

(a) The State Board shall establish high school curriculum and graduation requirements for all public schools in accordance with this section.

(F) THE DEPARTMENT ~~SHALL~~ MAY ADOPT REGULATIONS TO REQUIRE THE AWARD OF CREDIT TOWARD HIGH SCHOOL GRADUATION REQUIREMENTS FOR THE TIME A STUDENT SPENDS PARTICIPATING IN:

(1) A REGISTERED APPRENTICESHIP PROGRAM APPROVED BY THE DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING WITHIN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION; OR

(2) A YOUTH APPRENTICESHIP PROGRAM UNDER TITLE 18, SUBTITLE 18 OF THIS ARTICLE.

SUBTITLE 14. COLLECTION OF IDENTIFYING INFORMATION ON CERTIFICATES AND LICENSES.

11-1401.

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

(B) “BUSINESS LICENSE” MEANS ANY LICENSE ISSUED TO AN INDIVIDUAL UNDER THE BUSINESS OCCUPATIONS AND PROFESSIONS ARTICLE, THE BUSINESS REGULATION ARTICLE, OR THE HEALTH OCCUPATIONS ARTICLE.

(C) “IDENTIFYING INFORMATION” INCLUDES:

- (1) **DEMOGRAPHIC INFORMATION; AND**
- (2) **IF APPLICABLE, STUDENT INFORMATION ABOUT:**
 - (I) **PROGRAM SEQUENCES TAKEN;**
 - (II) **START AND END DATES OF ENROLLMENT;**
 - (III) **PROGRAM COMPLETION STATUS; AND**
 - (IV) **CREDENTIALS EARNED.**

(D) (1) **“INDUSTRY CERTIFICATE” MEANS A CERTIFICATE OR LICENSE AWARDED BY AN INDUSTRY CERTIFIER THAT PREPARES AN INDIVIDUAL TO WORK IN A CAREER FIELD.**

(2) **“INDUSTRY CERTIFICATE” DOES NOT INCLUDE A BUSINESS LICENSE OR VOCATIONAL CERTIFICATE.**

(E) **“INDUSTRY CERTIFIER” MEANS A NATIONALLY RECOGNIZED, THIRD-PARTY ENTITY USING PREDETERMINED STANDARDS FOR KNOWLEDGE AND SKILLS TO TEACH INDIVIDUALS.**

(F) **“VOCATIONAL CERTIFICATE” MEANS A CERTIFICATE OR LICENSE AWARDED BY AN INSTITUTION OF POSTSECONDARY EDUCATION APPROVED TO OPERATE UNDER § 11-202 OF THIS TITLE ON COMPLETION OF A COURSE OF STUDY, INCLUDING CREDIT-BEARING AND NONCREDIT COURSES, THAT PREPARES AN INDIVIDUAL TO WORK IN A CAREER FIELD.**

11-1402.

THE MARYLAND DEPARTMENT OF HEALTH AND THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION SHALL PROVIDE THE COMMISSION WITH IDENTIFYING INFORMATION FOR EACH HOLDER OF A BUSINESS LICENSE.

11-1403.

THE COMMISSION SHALL COLLECT IDENTIFYING INFORMATION ON EACH STUDENT WHO HAS EARNED A VOCATIONAL CERTIFICATE FROM AN INSTITUTION OF POSTSECONDARY EDUCATION IN THE STATE.

11-1404.

IF AN INDUSTRY CERTIFIER RECEIVES STATE FUNDS, THE INDUSTRY CERTIFIER SHALL PROVIDE THE COMMISSION WITH IDENTIFYING INFORMATION ON EACH INDIVIDUAL WHO HOLDS AN INDUSTRY CERTIFICATE AWARDED BY THE INDUSTRY CERTIFIER.

11-1405.

THE COMMISSION SHALL PROVIDE THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER WITH THE IDENTIFYING INFORMATION COLLECTED UNDER THIS SUBTITLE IN ORDER TO AID THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER'S GOAL UNDER § 24-702 OF THIS ARTICLE OF LINKING STUDENT DATA AND WORKFORCE DATA.

11-1406.

THE COMMISSION SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THIS SUBTITLE.

18-3301.

(a) In this subtitle the following words have the meanings indicated.

(c) (1) "Workforce Development Sequence" means [a]:

(I) A program offered by a community college that is approved by the Commission and is composed of courses that are related to:

[(i)] 1. Job preparation or an apprenticeship;

[(ii)] 2. Licensure or certification; or

[(iii)] 3. Job skill enhancement; **OR**

(II) **A REGISTERED APPRENTICESHIP PROGRAM APPROVED BY THE DIVISION OF WORKFORCE DEVELOPMENT AND ADULT LEARNING IN THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION.**

(2) "Workforce Development Sequence" does not include a sequence of courses leading to an associate's or bachelor's degree.

18-3302.

There is a Workforce Development Sequence Scholarship administered by the Office.

18-3303.

(b) An eligible student who receives a Workforce Development Sequence Scholarship under this subtitle may use the award for tuition, mandatory fees, [and] other associated costs of attendance, **OR COSTS TO PARTICIPATE IN A REGISTERED APPRENTICESHIP PROGRAM.**

18-3304.

On or before December 1 each year, the Commission shall report to the General Assembly, in accordance with § 2-1246 of the State Government Article, on:

(1) The number of students who received a Workforce Development Sequence Scholarship;

(2) The amount of the award made to each recipient;

(3) The community college that the recipient attended; [and]

(4) The workforce development sequence in which the recipient enrolled;

AND

(5) THE REGISTERED APPRENTICESHIP PROGRAM IN WHICH THE RECIPIENT PARTICIPATED.

21-205.

ON OR BEFORE DECEMBER 1 EACH YEAR, THE MARYLAND LONGITUDINAL DATA SYSTEM CENTER AND THE GOVERNOR'S WORKFORCE DEVELOPMENT BOARD SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY THE AVAILABLE DATA FOR HIGH SCHOOL GRADUATES FOR THE 5-YEAR PERIOD AFTER GRADUATION ON:

(1) WAGES EARNED;

(2) HOURS WORKED PER WEEK; AND

(3) THE INDUSTRY IN WHICH THE INDIVIDUALS ARE EMPLOYED.

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 Department of Labor, Licensing, and Regulation 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 and workforce data from all levels of education and the State's workforce, and allows the Center to:

(1) Effectively organize, manage, disaggregate, and analyze individual student data; and

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

(c) The linkage of student 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) Facilitate and enable the linkage of student data and workforce data.

~~Article Labor and Employment~~

~~§ 626.~~

~~(a) For each calendar quarter, each employing unit shall submit to the Secretary a contribution and employment report on or before the date that the Secretary sets.~~

~~(b) An employing unit shall include in a contribution and employment report information that the Secretary requires.~~

~~(c) (1) An employing unit that fails to submit a contribution and employment report under this section is subject to a penalty of \$35 unless the Secretary waives the penalty for cause.~~

~~(2) An employing unit that submits a check or other negotiable instrument in payment of any penalty under this subsection which is returned for insufficient funds is subject to an additional penalty of \$25.~~

~~(D) (1) THE INFORMATION THAT THE SECRETARY REQUIRES UNDER SUBSECTION (B) OF THIS SECTION SHALL INCLUDE:~~

~~(I) THE OCCUPATION AND JOB TITLE OF EACH EMPLOYEE;~~

~~(II) THE NUMBER OF HOURS EACH EMPLOYEE HAS WORKED DURING THE CALENDAR QUARTER; AND~~

~~(III) THE LOCATION AT WHICH THE EMPLOYEE WORKS.~~

~~(2) THE LOCATION LISTED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE THE EMPLOYEE'S ACTUAL WORK SITE AND NOT THE EMPLOYING UNIT'S PLACE OF BUSINESS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, May 15, 2018.