

Chapter 315

(House Bill 258)

AN ACT concerning

State Child Welfare System – Reporting

FOR the purpose of altering the contents of a certain report required by the Department of Human Services regarding children and foster youth in the State child welfare system; requiring the State Department of Education, on or before a certain date each year, to report to the General Assembly and the Department of Human Services certain information regarding children and foster youth in the State child welfare system; requiring the State Department of Education to maintain the confidentiality of certain information, ensure that no personally identifiable information is disclosed, and disaggregate certain information in a certain manner; requiring the State Department of Education to publish certain reports on the State Department of Education's website within a certain time; providing for the construction of this Act; and generally relating to children and foster youth in the State child welfare system.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–1312

Annotated Code of Maryland

(2019 Replacement Volume and 2020 Supplement)

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

Article – Family Law

5–1312.

(a) In this section, “foster youth” has the meaning stated in § 5–304 of the Human Services Article.

(b) Subject to subsection [(c)] **(D)** of this section, on or before December 1 of each year, the Department shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, the following information regarding children and foster youth in the State child welfare system:

(1) the number of child abuse and neglect reports, alternative responses, investigative responses, and findings for completed investigations;

(2) the number of children ~~and foster youth~~ receiving in-home services;

- (3) the number of new out-of-home placements by placement type;
- (4) the number of exits from the child welfare system by exit type;
- (5) the number of exits to reunification and reentries within 12 months after exit;
- (6) the number of exits to reunification and reentries within 24 months after exit;
- (7) the stability of out-of-home placements, including the number of placement changes;
- (8) the stability of school placements;
- (9) the number who graduate from high school;
- (10) the number who qualify for a Maryland high school diploma by examination; [and]
- (11) the number who receive tuition waivers;

(12) THE INCIDENCES OF ABUSE OR NEGLECT OF A CHILD WHO, IN THE IMMEDIATELY PRECEDING 24 MONTHS, WAS NOT REMOVED FROM THE CHILD'S HOME FOLLOWING AN INVESTIGATION THAT FOUND INDICATED OR UNSUBSTANTIATED ABUSE OR NEGLECT;

(13) THE NUMBER OF CHILDREN IN THE CUSTODY OF A LOCAL DEPARTMENT OR CHILD PLACEMENT AGENCY WHO HAVE A SIBLING WHO IS NOT IN THE CUSTODY OF THE SAME LOCAL DEPARTMENT OR CHILD PLACEMENT AGENCY;

(14) THE HEALTH AND MENTAL HEALTH CARE PROVIDED, INCLUDING THE STABILITY OF HEALTH CARE PROVIDERS, MEDICATIONS, AND PSYCHIATRIC DIAGNOSES;

(15) THE NUMBER OF CHILDREN WHO ARE NOT ENROLLED IN SCHOOL FOR MORE THAN 1 WEEK IMMEDIATELY FOLLOWING A CHANGE IN PLACEMENT; AND

(16) THE NUMBER OF CHILDREN IN AN INSTITUTION OF POSTSECONDARY EDUCATION, APPRENTICESHIP, OR ADULT EDUCATION PROGRAM, DISAGGREGATED BY PROGRAM.

(C) SUBJECT TO SUBSECTION (D) OF THIS SECTION, ON OR BEFORE DECEMBER 1 EACH YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL REPORT

TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, AND TO THE DEPARTMENT THE FOLLOWING INFORMATION REGARDING CHILDREN AND FOSTER YOUTH IN THE STATE CHILD WELFARE SYSTEM:

- (1) THE STABILITY OF SCHOOL PLACEMENTS;**
- (2) THE NUMBER OF CHILDREN WITH INDIVIDUALIZED EDUCATION PLANS;**
- (3) THE NUMBER OF CHILDREN WITH A PLAN UNDER § 504 OF THE FEDERAL REHABILITATION ACT;**
- (4) THE NUMBER OF CHILDREN WHO HAVE BEEN RETAINED A GRADE, DISAGGREGATED BY GRADE;**
- (5) THE NUMBER OF CHILDREN WHO GRADUATE FROM HIGH SCHOOL;**
- (6) DROPOUT RATES;**
- (7) THE NUMBER OF CHILDREN WHO ARE TRUANT STUDENTS, AS DEFINED IN § 7-302.2 OF THE EDUCATION ARTICLE;**
- (8) THE RATES OF ABSENTEEISM;**
- (9) THE RATES OF SUSPENSION;**
- (10) THE RATES OF EXPULSION; AND**
- (11) THE NUMBER OF SCHOOL-BASED ARRESTS.**

[(c)] (D) In reporting the information required under **[subsection] SUBSECTIONS (b) AND (C)** of this section, the Department **AND THE STATE DEPARTMENT OF EDUCATION** shall:

- (1)** maintain the confidentiality of information on children and foster youth in the State child welfare system;
- (2)** ensure that no personally identifiable information is disclosed; and
- (3)** disaggregate the information by county, age, gender, race, and ethnicity.

[(d)] (E) (1) The Department shall publish each report required under subsection (b) of this section on the Department's website within 30 days of submission of the report to the General Assembly.

(2) THE STATE DEPARTMENT OF EDUCATION SHALL PUBLISH EACH REPORT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION ON THE STATE DEPARTMENT OF EDUCATION’S WEBSITE WITHIN 30 DAYS OF SUBMISSION OF THE REPORT TO THE GENERAL ASSEMBLY.

(F) THIS SECTION MAY NOT BE CONSTRUED TO AFFECT ANY OTHER REPORTING REQUIREMENTS TO WHICH THE DEPARTMENT OR THE STATE DEPARTMENT OF EDUCATION IS SUBJECT.

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

Approved by the Governor, May 18, 2021.