

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 6

(Delegate Kerr)

Appropriations

Education, Energy, and the Environment

**Public Institutions of Higher Education - Pregnant and Parenting Students - Plan
and Reporting**

This bill requires the Maryland Higher Education Commission (MHEC) to collect data from every public institution of higher education on the parental status of enrolled students. Each public institution must place questions developed under the bill on one or more demographic data collection forms and report the data to MHEC as specified. By September 1, 2027, and annually thereafter, MHEC must report the data to specified committees of the General Assembly. The bill also expands the definition of a pregnant and parenting student and extends existing requirements to adopt a plan for pregnant and parenting students (under the Pregnant and Parenting Student Support Act) to encompass community colleges as well as *all* public four-year institutions. In addition, the bill alters the definition of “student data” to authorize MHEC to share certain data with the Maryland Longitudinal Data System (MLDS); this definition is expanded to include parental status but excludes pregnancy status. The bill extends the existing posting deadline, which applies to all affected institutions under the bill, by two months to October 1, 2026. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: General fund expenditures increase by \$51,900 in FY 2027 for MHEC personnel. Higher education expenditures for public four-year institutions and Baltimore City Community College (BCCC) may increase minimally to collect required data; BCCC and currently excluded public four-year institutions can likely adopt and post required plans using existing resources. To the extent that referrals increase participation in government assistance programs, including Medicaid and the Maryland Children’s Health Program (MCHP), federal and general fund expenditures increase, potentially significantly, with a corresponding increase in federal fund revenues. MLDS Center can accept data using existing resources.

Local Effect: Local community colleges incur minimal costs to collect and report required data to MHEC. Local community colleges can adopt and post policies related to pregnant and parenting students that are consistent with Title IX using existing resources. Revenues are not affected.

Small Business Effect: Minimal.

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 the student provides, 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. Information collected under the bill is not considered to be a medical or health record.

Current Law:

Pregnant and Parenting Student Support Act

Under Chapters 335 and 336 of 2025, specified public senior (four-year) higher education institutions (all but the University of Maryland Center for Environmental Studies, the University of Maryland Global Campus, and the University of Baltimore) must adopt a plan regarding pregnant and parenting students that is consistent with Title IX of the federal Higher Education Act and includes certain elements. The plan must include (1) referral to on-campus or off-campus services regarding the availability of or eligibility for government assistance programs; (2) provision of information about or referral to adoption services; (3) availability of institutional accommodations, as specified; and (4) a referral network of health care service providers. By August 1, 2026, each affected institution must post the plan on its website.

The General Assembly finds that all students at an institution of higher education in the State, regardless of their gender, must enjoy freedom from discrimination of any kind,

including pregnancy discrimination as described in Title IX of the Education Amendments of 1972.

“Pregnant and parenting student” means a student enrolled at a public senior higher education institution who is pregnant and exercises care, custody, or control over a child.

Title IX of the Education Amendments of 1972

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.

Medicaid

Medicaid generally provides health coverage to children, pregnant women, elderly or disabled individuals, low-income parents, and childless adults. To qualify for Medicaid, applicants must pass certain income and asset tests. Effective January 1, 2014, Medicaid coverage was expanded to persons with household incomes up to 138% of federal poverty guidelines, as authorized under the federal Patient Protection and Affordable Care Act. MCHP is Maryland’s name for medical assistance for low-income children. MCHP provides all the same services as Medicaid.

Family Educational Rights and Privacy Act

At the federal level, the Family Educational Rights and Privacy Act (FERPA) of 1974 governs the privacy of student data. FERPA generally prohibits the disclosure by schools that receive federal education funding of personally identifiable information from a student’s education record unless the educational institution has obtained signed and dated

written consent from a parent or eligible student or one of FERPA’s exceptions applies. An education record includes a range of information about a student.

Student Data

Chapter 190 of 2010 established MLDS to contain individual-level student data and workforce data from all levels of education and the State’s workforce. The purpose of the data system is to facilitate and enable the exchange of student and workforce data among agencies and institutions within the State as well as generate timely and accurate information about student achievement that can be used to improve the State’s education system and guide decision makers at all levels.

“Student data” means data relating to or impacting student performance. Student data collected by MLDS includes State and national assessments; course taking and completion; grade point average; remediation; retention; degree, diploma, or credential attainment; enrollment; demographic data; juvenile delinquency records; elementary and secondary school disciplinary records; child welfare data; license, industry certificate, or vocational certificate; personally identifiable information; and student disability data by specific disability category. Criminal and CINA (child in need of assistance) records and medical and health records are specifically excluded from the types of data that MLDS may collect.

State/Local Fiscal Effect:

Maryland Higher Education Commission

The bill requires a significant expansion of data collection regarding student parental status and child care responsibilities. As a result, MHEC general fund expenditures increase by \$51,857 in fiscal 2027, which accounts for a 90-day startup delay following the bill’s July 1, 2026 effective date. This estimate reflects the cost of hiring one permanent half-time Staff Specialist II to develop statewide data collection protocols (including data privacy), provide technical assistance to 29 institutions, and prepare the mandated annual reports. It includes a half-time salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	0.5
Salary and Fringe Benefits	\$43,758
Operating Expenses	<u>8,099</u>
Total FY 2027 MHEC Expenditures	\$51,857

Future year expenditures reflects a half-time salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

Maryland Longitudinal Data System Center

It is assumed that the MLDS Center can incorporate the new data element into MLDS with existing resources if it is included in a started method. The bill does not require the MLDS Center to analyze the data element, which may increase expenditures by an unknown amount.

Public Four-year Institutions

The University System of Maryland (USM) advises that the bill creates a significant administrative workload for tracking and securely storing sensitive caregiving data, particularly at the University of Maryland, College Park Campus and the University of Maryland Eastern Shore. While it is assumed that most USM institutions can generally implement the bill's requirements using existing resources, those previously excluded likely experience both operational and fiscal impacts. However, Morgan State University and St. Mary's College of Maryland can generally collect and submit to MHEC the required data using existing resources.

Community Colleges

BCCC and the local community colleges can likely develop and post the required plans and collect and submit to MHEC the required data using existing resources. As educational institutions subject to Title IX requirements, these institutions must already have a policy in place to accommodate students for specified pregnancy-related reasons. However, to the extent that additional services are provided, higher education expenditures may increase, by an unknown, but likely minimal or moderate, amount.

Additional Information

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

Designated Cross File: SB 420 (Senator M. Washington) - Education, Energy, and the Environment.

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

Fiscal Note History:
caw/clb

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