

**Department of Legislative Services**  
 Maryland General Assembly  
 2026 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 420

(Senator M. Washington)

Education, Energy, and the Environment

Appropriations

**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. By September 1, 2027, MHEC must report the summarized data to specified committees of the General Assembly. The bill extends the existing posting deadline for posting plans required by the Pregnant and Parenting Student Support Act, which applies public senior higher education institutions under the bill, by two months to October 1, 2026. The bill also repeals the requirement that the plans include provision of information about or referral to resources regarding adoption services. **The bill takes effect July 1, 2026.**

**Fiscal Summary**

**State Effect:** General fund expenditures increase \$48,800 in FY 2027 and \$9,000 in FY 2028 for MHEC personnel. Higher education expenditures for public four-year institutions and Baltimore City Community College (BCCC) may increase minimally to collect required data. Extending the deadline for public senior higher education institutions to post plans (and removing one requirement of the plans) does not materially affect higher education expenditures. Revenues are not affected.

(in dollars)	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	48,800	9,000	0	0	0
Net Effect	(\$48,800)	(\$9,000)	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Local community colleges incur minimal costs to collect and report required data to MHEC. Revenues are not affected.

**Small Business Effect:** Minimal.

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## Analysis

**Bill Summary:** 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) requiring that the collection of parental status data be included with the collection of other demographic data.

### **Current Law:**

#### *Definition*

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

#### *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 (3) a referral network of health care service providers. By August 1, 2026, each affected public senior higher education 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.

#### *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 (ACA). 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.

### *Public Senior Higher Education Institutions*

The public senior higher education institutions in Maryland are the constituent institutions of the University System of Maryland and the University of Maryland Center for Environmental Science, Morgan State University, and St. Mary's College of Maryland.

**State/Local Fiscal Effect:**

*Maryland Higher Education Commission*

The bill requires a significant expansion of data collection regarding student parental status of students enrolled in public institutions of higher education. As a result, MHEC general fund expenditures increase by \$48,839 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 contractual 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.

Contractual Position	0.5
Salary and Fringe Benefits	\$40,740
Operating Expenses	<u>8,099</u>
<b>Total FY 2027 MHEC Expenditures</b>	<b>\$48,839</b>

Future year expenditures reflect annual increases and employee turnover as well as annual increases in ongoing operating expenses for the regular positions; the contractual position is only assumed to be needed through September 1, 2027, when the report is submitted to MHEC.

This estimate does not include any health insurance costs that could be incurred for specified contractual employees under the State’s implementation of ACA.

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**Additional Information**

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

**Designated Cross File:** HB 6 (Delegate Kerr) - Appropriations.

**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

First Reader - January 30, 2026

Third Reader - April 6, 2026

Revised - Amendment(s) - April 6, 2026

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