

HOUSE BILL 1141

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By: **Delegate Vogt**

Introduced and read first time: February 19, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – PARCC Testing – Exemption for Children With Disabilities**

3 FOR the purpose of exempting a child with a disability from taking a Partnership for
4 Assessment of Readiness for College and Careers (PARCC) assessment or its
5 equivalent in a public school; making a certain exception; defining a certain term;
6 and generally relating to assessments of students in public schools.

7 BY repealing and reenacting, with amendments,

8 Article – Education

9 Section 7–203

10 Annotated Code of Maryland

11 (2014 Replacement Volume and 2014 Supplement)

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

14 **Article – Education**

15 7–203.

16 (a) The State Board, the State Superintendent, each county board, and each
17 public school shall implement a program of education accountability for the operation and
18 management of the public schools.

19 (b) (1) In this subsection, “grade band assessment” means one assessment of
20 a middle school student’s knowledge in a core academic subject area during grades 6
21 through 8.

22 (2) The education accountability program shall include the following:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) The State Board and the State Superintendent shall assist each
2 county board to establish educational goals and objectives that conform with statewide
3 educational objectives for subject areas including reading, writing, mathematics, science,
4 and social studies;

5 (ii) With the assistance of its county board, each public school shall
6 survey current student achievement in reading, language, mathematics, science, social
7 studies, and other areas to assess its needs;

8 (iii) 1. The State Board and the State Superintendent shall
9 implement assessment programs in reading, language, mathematics, science, and social
10 studies that include written responses;

11 2. The assessment program required in this subsection shall:

12 A. Provide information needed to improve public schools by
13 enhancing the learning gains of students and academic mastery of the skills and knowledge
14 set forth in the State's adopted curricula or common core curricula;

15 B. Inform the public annually of the educational progress
16 made at the school, local school system, and State levels; and

17 C. Provide timely feedback to schools and teachers for the
18 purposes of adapting the instructional program and making placement decisions for
19 students; and

20 3. Beginning in the 2014–2015 school year, the following
21 assessments shall be implemented and administered annually:

22 A. At the middle school level, a statewide, comprehensive,
23 grade band assessment program that measures the learning gains of each public school
24 student towards achieving mastery of the standards set forth in the common core curricula
25 or the State's adopted curricula for the core content areas of reading, language,
26 mathematics, science, and social studies; and

27 B. At the high school level, a statewide, standardized,
28 end-of-course assessment that is aligned with and that measures each public school
29 student's skills and knowledge of the State's adopted curricula for the core content areas of
30 reading, language, mathematics, science, and social studies;

31 (iv) Each public school shall establish as the basis for its assessment
32 of its needs, project goals and objectives that are in keeping with the goals and objectives
33 established by its county board and the State Board;

34 (v) With the assistance of its county board, the State Board, and the
35 State Superintendent, each public school shall develop programs to meet its needs on the
36 basis of the priorities it sets;

1 (vi) Evaluation programs shall be developed at the same time to
2 determine if the goals and objectives are being met; and

3 (vii) A reevaluation of programs, goals, and objectives shall be
4 undertaken regularly.

5 (3) (i) After the 2014–2015 school year, the State Board shall determine
6 whether the assessments at the middle school and high school levels required under
7 paragraph (2)(iii)3 of this subsection adequately measure the skills and knowledge set forth
8 in the State’s adopted curricula for the core content areas of reading, language,
9 mathematics, science, and social studies.

10 (ii) If the State Board makes a determination under subparagraph
11 (i) of this paragraph that an assessment does not adequately measure the skills and
12 knowledge set forth in the State’s adopted curricula for a core content area, the Department
13 shall develop a State–specific assessment in that core content area to be implemented in
14 the 2016–2017 school year.

15 **(C) (1) IN THIS SUBSECTION, “CHILD WITH A DISABILITY” HAS THE**
16 **MEANING STATED IN § 8–401 OF THIS ARTICLE.**

17 **(2) A CHILD WITH A DISABILITY SHALL BE EXEMPT FROM A**
18 **PARTNERSHIP FOR ASSESSMENT OF READINESS FOR COLLEGE AND CAREERS**
19 **(PARCC) ASSESSMENT OR ITS EQUIVALENT ADMINISTERED UNDER THIS SECTION,**
20 **EXCEPT:**

21 **(I) IF A PARENT OR GUARDIAN OF THE CHILD AND THE**
22 **ADMINISTRATION OF THE SCHOOL THAT THE CHILD ATTENDS HAVE AGREED THAT**
23 **THE CHILD MAY TAKE A PARTNERSHIP FOR THE ASSESSMENT OF READINESS FOR**
24 **COLLEGE AND CAREERS (PARCC) ASSESSMENT OR ITS EQUIVALENT**
25 **ADMINISTERED UNDER THIS SECTION; AND**

26 **(II) THE AGREEMENT SPECIFIED IN ITEM (I) OF THIS**
27 **PARAGRAPH HAS BEEN DOCUMENTED IN THE INDIVIDUALIZED EDUCATION**
28 **PROGRAM OF THE CHILD REQUIRED UNDER § 8–405 OF THIS ARTICLE.**

29 **[(c)] (D)** National standardized testing may not be the only measure for
30 evaluating educational accountability.

31 **[(d)] (E)** The Department shall assist each county board to establish an
32 education accountability program by providing:

33 (1) Guidelines for development and implementation of the program by the
34 county boards; and

1 (2) Assistance and coordination where it is needed and requested by the
2 county boards.

3 **[(e)] (F)** (1) The Department shall survey a statewide, representative sample
4 of public schools and public school teachers annually to measure:

5 (i) The amount of instructional time spent on social studies and
6 science instruction in elementary schools;

7 (ii) The availability and use of appropriate instructional resources
8 and teaching technology in social studies and science classrooms;

9 (iii) The availability and use of appropriate professional development
10 for social studies and science teachers; and

11 (iv) The number of secondary school social studies and science classes
12 that are taught by teachers who are:

13 1. Certified in the subject being taught; and

14 2. Not certified in the subject being taught.

15 (2) The Department shall:

16 (i) Compile the results of the survey conducted under paragraph (1)
17 of this subsection; and

18 (ii) Publish the results on the Department's Web site.

19 **[(f)] (G)** The State Superintendent shall send the Governor and, subject to §
20 2–1246 of the State Government Article, the General Assembly a report each January that
21 includes:

22 (1) Documentation of the progress of the Department, the county boards,
23 and each public school in this State towards their respective goals and objectives; and

24 (2) Recommendations for legislation that the State Board and the State
25 Superintendent consider necessary to improve the quality of education in this State.

26 **[(g)] (H)** On the recommendation of the State Superintendent, the State Board
27 shall include in its annual budget request the funds it considers necessary to carry out the
28 provisions of this section.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
30 1, 2015.