

SENATE BILL 497

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CF HB 452

By: **Senators Pinsky, Astle, Benson, Brochin, Conway, Currie, Eckardt, Edwards, Feldman, Guzzone, Jennings, Kagan, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Nathan-Pulliam, Peters, Pugh, Ramirez, Raskin, Reilly, Rosapepe, Waugh, ~~and Young Young~~, Bates, Salling, and Simonaire**

Introduced and read first time: February 6, 2015

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 17, 2015

CHAPTER _____

1 AN ACT concerning

2 **Commission to Review Maryland's Use of Assessments and Testing in Public**
3 **Schools**

4 FOR the purpose of establishing the Commission to Review Maryland's Use of Assessments
5 and Testing in Public Schools; providing for the composition, chair, and staffing of
6 the Commission; prohibiting a member of the Commission from receiving certain
7 compensation, but authorizing the reimbursement of certain expenses; requiring the
8 Commission to survey, assess, review, and make recommendations regarding certain
9 matters; requiring the Commission to report its findings and recommendations to
10 the State Board of Education ~~and~~, certain county boards of education, and the
11 General Assembly, on or before a certain date; requiring the State Board and certain
12 county boards to review and consider the Commission's findings and make certain
13 comments or recommendations on or before a certain date; requiring certain county
14 boards to make certain comments and recommendations available to the public on
15 request; requiring the State Board to submit a certain compilation to the General
16 Assembly on or before a certain date; providing for the termination of this Act; and
17 generally relating to the Commission to Review Maryland's Use of Assessments and
18 Testing in Public Schools.

19 Preamble

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 WHEREAS, Maryland has been recognized nationally for its leadership in education;
2 and

3 WHEREAS, It is of crucial importance to assess children so that local school systems
4 and states can gain formative information on student achievement levels and how students
5 compare to other students locally, statewide, and nationwide; and

6 WHEREAS, Because of Maryland's nationally recognized success in education, we
7 can play an integral part in both the State's and the nation's efforts in developing greater
8 efficiency and efficacy around administering local, State, and federally mandated
9 assessments; and

10 WHEREAS, While assessing children is necessary to continue to make educational
11 gains, there is a need to examine the interplay between and the possible duplication of local,
12 State, and federally mandated assessments; and

13 WHEREAS, All assessments administered to children should have instructional
14 value and a stated purpose; now, therefore,

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That:

17 (a) (1) In this section, "assessment" means a local, State, or federally
18 mandated test that is intended to measure a student's academic readiness, learning
19 progress, and skill acquisition.

20 (2) "Assessment" does not include a teacher-developed quiz or test.

21 (b) There is a Commission to Review Maryland's Use of Assessments and Testing
22 in Public Schools.

23 (c) The Commission consists of the following members:

24 (1) two members of the Senate of Maryland, appointed by the President of
25 the Senate;

26 (2) two members of the House of Delegates, appointed by the Speaker of
27 the House;

28 (3) the State Superintendent of Schools, or the Superintendent's designee;

29 (4) the Governor, or the Governor's designee;

30 (5) one member of the State Board of Education, appointed by the
31 President of the State Board; and

32 (6) the following members, appointed by the Governor:

- 1 (i) one representative of the Maryland State Education Association;
- 2 (ii) one representative of the Baltimore Teachers Union;
- 3 (iii) one representative of a local education association;
- 4 (iv) one county school board member;
- 5 (v) two county superintendents, at least one of whom is from a local
6 school system with over 120,000 students;
- 7 (vi) one principal of a public school;
- 8 (vii) one National Board Certified teacher who teaches in the State;
- 9 (viii) two parents of children who attend a public school in the State
10 who:
- 11 1. are active in the local school system; and
- 12 2. have a background in education policy; and
- 13 (ix) two nationally recognized education experts in the field of
14 student assessment, at least one of whom specializes in duplicative testing.
- 15 (d) The Governor shall designate the chair of the Commission.
- 16 (e) The State Department of Education shall provide staff for the Commission.
- 17 (f) A member of the Commission:
- 18 (1) may not receive compensation as a member of the Commission; but
- 19 (2) is entitled to reimbursement for expenses under the Standard State
20 Travel Regulations, as provided in the State budget.
- 21 (g) The Commission shall:
- 22 (1) survey and assess how much time is spent in each grade and in each
23 local school system on administering local, State, and federally mandated assessments;
- 24 (2) review the purpose of all local, State, and federally mandated
25 assessments administered by local school systems, whether summative or formative, and
26 determine whether some assessments are duplicative or otherwise unnecessary;

1 (3) review and analyze the local school systems' and the Department's
2 interests in requiring assessments and attempt to develop a statewide approach to
3 administering assessments;

4 (4) determine whether the current local and State schedules for
5 administering assessments allots enough time between administering a formative
6 assessment and receiving the results of the formative assessment to meaningfully inform
7 instruction;

8 (5) survey and assess if the testing windows implemented by the local
9 school systems and the State have any negative ancillary effects on instruction, materials
10 and equipment use, and school calendars;

11 (6) consider the implications for the State if changes were to be made to
12 the Elementary and Secondary Education Act that would allow for more flexibility in
13 administering assessments;

14 (7) make recommendations on:

15 (i) how local school systems and the State can improve the process
16 in which local, State, and federally mandated assessments are administered and used to
17 inform instruction;

18 (ii) if the Commission finds that the allotted time for administering
19 assessments is resulting in reduced instruction time, the most efficient and effective
20 methods to ensure that adequate time is allotted to both administering assessments and
21 instruction; and

22 (iii) any other relevant issue identified by the Commission; and

23 (8) ensure that any recommendation retains the ability to compare student
24 achievement across local school systems, the State, and the nation.

25 (h) (1) On or before April 1, 2016, the Commission shall report its findings and
26 recommendations to the State Board of Education ~~and~~, each county board of education, and
27 the General Assembly in accordance with § 2-1246 of the State Government Article.

28 (2) On or before June 1, 2016, ~~the State Board and~~ each county board of
29 education shall:

30 (i) review and consider the Commission's findings and
31 recommendations; ~~and~~

32 (ii) make comments and recommendations related to whether they
33 accept or reject the Commission's findings and recommendations to the ~~General Assembly~~
34 ~~in accordance with § 2-1246 of the State Government Article~~ State Board; and

1 (iii) make the comments and recommendations available to the
2 public on request.

3 (3) On or before August 1, 2016, the State Board shall:

4 (i) review and consider the Commission's findings and
5 recommendations;

6 (ii) make comments and recommendations related to whether they
7 accept or reject the Commission's findings and recommendations; and

8 (iii) submit a compilation to the General Assembly in accordance with
9 § 2-1246 of the State Government Article of their comments and recommendations and the
10 comments and recommendations of each county board of education under paragraph (2) of
11 this subsection.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
13 1, 2015. It shall remain effective for a period of ~~3~~ 2 years and, at the end of May 31, ~~2018~~
14 2017, with no further action required by the General Assembly, this Act shall be abrogated
15 and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.