

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 497

(Senator Pinsky, *et al.*)

Education, Health, and Environmental Affairs

Ways and Means

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

This bill establishes the Commission to Review Maryland's Use of Assessments and Testing in Public Schools. The Maryland State Department of Education (MSDE) must provide staff for the commission. In addition, MSDE must (1) survey and assess how much time is spent in each grade and in each local school system on administering local, State, and federally mandated assessments and (2) compile the results of the survey. Finally, MSDE, the commission, the State Board of Education, and each local board of education must meet specified reporting requirements in 2015 and 2016.

The bill takes effect June 1, 2015, and terminates May 31, 2017.

Fiscal Summary

State Effect: MSDE can staff the commission, survey local school systems, and produce the required reports using existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary:

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

The commission must:

- survey and assess how much time is spent in each grade and in each local school system on administering local, State, and federally mandated assessments;
- review the purpose of all local, State, and federally mandated assessments administered by local school systems, whether summative or formative, and determine whether some assessments are duplicative or otherwise unnecessary;
- review and analyze the local school systems' and MSDE's interests in requiring assessments and attempt to develop a statewide approach to administering assessments;
- determine whether the current local and State schedules for administering assessments allot enough time between administering a formative assessment and receiving the results of the formative assessment to meaningfully inform instruction;
- survey and assess if the testing windows implemented by the local school systems and the State have any negative ancillary effects on instruction, materials and equipment use, and school calendars; and
- consider the implications for the State if changes were to be made to the Elementary and Secondary Education Act (ESEA) that would allow for more flexibility in administering assessments.

The commission must make recommendations on (1) how local school systems and the State can improve the process in which local, State, and federally mandated assessments are administered and used to inform instruction; (2) if the commission finds that the allotted time for administering assessments is resulting in reduced instruction time, the most efficient and effective methods to ensure that adequate time is allotted to both administering assessments and instruction; (3) which developmentally appropriate elements, if any, should be included in an assessment administered to kindergarten students; and (4) any other relevant issue identified by the commission. The commission must ensure that any recommendation retains the ability to compare student achievement across local school systems, the State, and the nation.

The 19-member task force includes 2 members of the Senate and 2 members of the House of Delegates. The Governor must designate the chair of the commission. A member of the task force may not receive compensation but is entitled to reimbursement for standard travel expenses.

Reporting Requirements

The survey compilation required to be completed by MSDE must include specified information for each assessment administered in a local school system in matrix form and additional specified information in narrative form. By August 31, 2015, MSDE must submit the information required to be submitted matrix form to the State Board of Education, each local board of education, the Governor, and other specified entities. Likewise, by October 15, 2015, MSDE must submit the information required in narrative form to the same parties.

By November 30, 2015, each local board of education and each specified educational organization must (1) review and consider the results of MSDE's surveys; (2) make comments and recommendations related to the results of MSDE's surveys to the State Board of Education; and (3) make the comments and recommendations available to the public on request. The specified educational organizations must provide comments and recommendations that are one to three pages in length.

By December 31, 2015, the State Board of Education must (1) review and consider the results of the MSDE's surveys; (2) make comments and recommendations related to the results of MSDE's surveys; and (3) submit to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means a compilation of the comments and recommendations of the State Board of Education, each local board of education, and each specified educational organization.

By July 1, 2016, the commission must report its findings and recommendations to the State Board of Education, each local board of education, and the General Assembly. By September 1, 2016, each local board must review and consider the commission's findings and recommendations, and make comments and recommendations related to whether they accept or reject the commission's findings and recommendations to the State Board of Education and make the comments and recommendations available to the public on request. By October 1, 2016, the State Board of Education must (1) review the commission's findings and recommendations; (2) make comments and recommendations related to whether they accept or reject the commission's finding and recommendations; and (3) submit a compilation of the comments and recommendations made by each local board to the Governor, the Senate Education, Health, and Environmental Affairs Committee, and the House Committee on Ways and Means.

Current Law/Background: The most recent reauthorization of ESEA, the No Child Left Behind Act of 2001, requires annual assessments of all students in grades 3 through 8 and at least once in high school in reading/language arts and mathematics. Since 2008, ESEA

also requires students to be tested in science at least once in grades 3 through 5, 6 through 8, and 9 through 12.

To receive a waiver from ESEA, MSDE had to describe its plan to transition to and implement no later than the 2013-2014 school year college and career ready (CACR) standards statewide in at least reading/language arts and mathematics for all students and schools. MSDE also had to demonstrate that the State was transitioning, developing, and administering *annual*, statewide, aligned, high-quality CACR assessments, and corresponding academic achievement standards, that measure student growth in at least grades 3 through 8 and at least once in high school.

Beginning with the 2013-2014 school year, a new CACR curriculum aligned with the Common Core State Standards, known as the Maryland College- and Career-Ready Standards (MCCRS) was fully implemented in Maryland schools. As a result of the new curriculum, Maryland also required a new assessment system. In 2010, Maryland joined the Partnership for Assessment of Readiness for College and Careers (PARCC), a consortium of 12 states (as of February 2015) working to develop a common set of assessments in English language arts and mathematics aligned to the Common Core State Standards and, in turn, to MCCRS. PARCC measures student progress and tracks status on a trajectory toward college and career readiness. PARCC is intended to be entirely computer-based in order to provide more timely feedback to educators to be used to target or improve instruction during the school year. PARCC was field tested in spring 2014, and the State will replace the Maryland School Assessments in English language arts/literacy and mathematics with the PARCC assessments in the 2014-2015 school year. The State Board of Education recently voted on a transition plan to replace the High School Assessments in English 10 and Algebra I with the PARCC assessments. The PARCC assessments must be administered fully online by the 2017-2018 school year, although MSDE has set a goal to administer the PARCC assessments fully online by the 2016-2017 school year. The State Board of Education also recently adopted new science standards known as the Next Generation Science Standards. Maryland is part of a consortium that is developing new science assessments aligned to the standards.

Chapter 533 of 2013, the College and Career Readiness and College Completion Act of 2013, requires students to be assessed no later than at the end of grade 11 to determine whether they are ready for college-level, credit-bearing coursework in English literacy and mathematics. In addition, it sets a goal for the State that all students achieve math competency in Algebra II, although there is no requirement that students take such a course in the law.

MSDE has indicated that additional tests are necessary to properly evaluate college and career readiness and could be helpful in familiarizing students with the rigor of the new

MCCRS curriculum and what is required for the PARCC assessments prior to being tested in the subjects needed to meet graduation requirements.

MSDE suggests that because students must be assessed for college readiness by the end of grade 11, and in order to accurately determine whether students are meeting the State goal of being competent in Algebra II, standardized statewide assessments are needed in English 11 and Algebra II. English 10 and Algebra I remain necessary because they are the specified graduation requirements. Graduation requirements are different from achieving a determination of being college and career ready, although the goal is for there to be alignment in the future. The possible addition of English 9 and Geometry PARCCs would assist in monitoring the progress made by students in anticipation of taking the tests necessary to meet graduation requirements.

According to MSDE, if after the first full year of administering the new PARCC assessments (2014-2015 school year), local school systems express concern about the increased level of testing, the department will consider scaling back or not implementing all of the additional tests. In addition, MSDE is considering the potential for using other existing methods for evaluating competency in determining college and career readiness, *e.g.*, Scholastic Aptitude Tests (SAT) or advanced placement scores. The current PARCC contract does reflect the assumed phase-in of the additional four tests. In the current school year (fiscal 2015), PARCC assessments include testing in reading and math for grades 3 through 8, English 10, Algebra I, and Algebra II for all students taking those respective courses. If approved by the State Board of Education during summer 2015, English 11 will be added in fiscal 2016 (2015-2016 school year). English 9 and Geometry could be offered as soon as fiscal 2017 (2016-2017 school year).

Additional Information

Prior Introductions: None.

Cross File: HB 452 (Delegate Ebersole, *et al.*) - Ways and Means.

Information Source(s): Maryland State Department of Education, Department of Legislative Services

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