

Department of Legislative Services  
Maryland General Assembly  
2016 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 1040  
Ways and Means

(Delegate Szeliga, *et al.*)

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Education - Student Report Cards - Required Information

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This bill requires, beginning with the 2016-2017 school year, each local school system to include the following information on student report cards: (1) the grade of the school the student attends; and (2) the total per pupil funding amount the local school system received for the current school year. This information must be located at the top of the report card in a clear and conspicuous manner. Also beginning with the 2016-2017 school year, the Maryland State Department of Education (MSDE) must grade each public school based on the school's performance on the assessment aligned with the Maryland College and Career Ready Standards (*i.e.* the Partnership for Assessment of Readiness for College and Careers (PARCC) assessments). The established performance levels of PARCC must be used to develop the school grading system. MSDE must inform each local school system of the school grading results before the start of each school year.

The bill takes effect June 1, 2016.

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Fiscal Summary

**State Effect:** MSDE can develop the required school grading system and distribute the results to the local school systems using existing resources. Revenues are not affected.

**Local Effect:** Local school systems can print the required information on student report cards using existing resources, although some school systems may need to redesign their report cards. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** None.

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## Analysis

**Current Law/Background:** The most recent reauthorization of the Elementary and Secondary Education Act (ESEA), the [Every Student Succeeds Act of 2015](#), maintained the annual assessment requirements. The law requires annual assessments of all students in grades 3 through 8 and at least once in high school in reading/language arts and mathematics; the law also requires students to be tested in science at least once in grades 3 through 5, 6 through 8, and 9 through 12.

Maryland has chosen to use the PARCC assessments to meet the annual assessment requirement. The PARCC assessments are aligned with the Maryland College and Career-Ready Standards (MCCRS). The PARCC assessments were field tested in the 2013-2014 school year and were administered for the first time to all students in the 2014-2015 school year.

ESSA, and the regulations that have yet to be promulgated, require the development of a new state accountability system for the 2017-2018 school year. It will replace the current accountability system under ESEA known in Maryland as the [School Progress Index](#). According to ESSA, the new state accountability system must include multiple indicators, including among other indicators academic achievement as measured by proficiency on annual assessments such as the PARCC assessment, graduation rate (for high schools), and an indicator of school quality and student success such as student engagement, educator engagement, student access to advanced coursework, postsecondary readiness, school climate and safety, or other measures. Using the new state accountability system, beginning in 2017-2018 and at least every three years subsequently, each state must establish a methodology to identify those schools in need of comprehensive support and improvement. The current accountability system (the School Progress Index) has been frozen since 2013 as Maryland transitioned to MCCRS and the PARCC assessments and the new state accountability system is being developed.

MSDE anticipates that it will be required to submit its new accountability system to the U.S. Department of Education (ED) around March or April 2017. MSDE has created an ESSA Stakeholder Committee that will begin meeting in March 2016 that is charged with developing draft accountability goals by approximately August 2016. These draft accountability goals will not be finalized until the final regulations are promulgated by ED, expected in November 2016, and the accountability goals are approved by the State Board of Education.

[PARCC reports](#) results according to five performance levels that delineate the knowledge, skills, and practices students are able to demonstrate. The five levels are:

- Level 1: Did not yet meet expectations;
- Level 2: Partially met expectations;
- Level 3: Approached expectations;
- Level 4: Met expectations; and
- Level 5: Exceeded expectations.

Performance level descriptors for English language arts/literacy and mathematics describe what a typical student at each level should be able to demonstrate based on his/her command of grade-level standards.

For more information regarding federal, State, and local assessments and testing in public schools, please see the **Appendix – Assessments and Testing in Public Schools**.

The total per pupil funding amount for each local school system for the 2015-2016 school year (fiscal 2016), is shown in **Exhibit 1**.

**Exhibit 1**  
**Per Pupil Revenues for Public Schools in Fiscal 2016**

| <b>County</b>   | <b>Federal</b> | <b>State</b>   | <b>Local</b>   | <b>Misc.</b> | <b>Total</b>    | <b>Ranking by Total Per Pupil Funding</b> |                        |
|-----------------|----------------|----------------|----------------|--------------|-----------------|---|------------------------|
| Allegany        | \$1,038        | \$10,246       | \$3,588        | \$54         | \$14,926        | 1.  | Worcester \$17,606     |
| Anne Arundel    | 515            | 5,143          | 7,932          | 39           | 13,629          | 2.  | Baltimore City 16,713  |
| Baltimore City  | 1,284          | 12,049         | 3,262          | 118          | 16,713          | 3.  | Somerset 16,304        |
| Baltimore       | 677            | 6,564          | 6,974          | 97           | 14,312          | 4.  | Kent 15,981            |
| Calvert         | 508            | 6,011          | 7,361          | 25           | 13,905          | 5.  | Howard 15,931          |
| Caroline        | 868            | 10,282         | 2,595          | 88           | 13,833          | 6.  | Prince George's 15,691 |
| Carroll         | 441            | 6,005          | 6,998          | 121          | 13,566          | 7.  | Montgomery 15,663      |
| Cecil           | 567            | 7,505          | 5,281          | 30           | 13,383          | 8.  | Allegany 14,926        |
| Charles         | 610            | 7,211          | 6,521          | 67           | 14,409          | 9.  | Dorchester 14,858      |
| Dorchester      | 797            | 9,682          | 4,200          | 179          | 14,858          | 10.                                       | Garrett 14,831         |
| Frederick       | 490            | 6,695          | 6,060          | 124          | 13,369          | 11.                                       | Charles 14,409         |
| Garrett         | 859            | 6,465          | 7,222          | 285          | 14,831          | 12.                                       | Baltimore 14,312       |
| Harford         | 595            | 6,310          | 6,228          | 103          | 13,236          | 13.                                       | Calvert 13,905         |
| Howard          | 351            | 5,320          | 10,138         | 122          | 15,931          | 14.                                       | Caroline 13,833        |
| Kent            | 854            | 5,924          | 9,117          | 85           | 15,981          | 15.                                       | Wicomico 13,667        |
| Montgomery      | 473            | 5,203          | 9,916          | 71           | 15,663          | 16.                                       | Anne Arundel 13,629    |
| Prince George's | 835            | 9,276          | 5,433          | 148          | 15,691          | 17.                                       | Carroll 13,566         |
| Queen Anne's    | 673            | 5,451          | 7,083          | 151          | 13,358          | 18.                                       | Washington 13,535      |
| St. Mary's      | 844            | 6,649          | 5,783          | 45           | 13,322          | 19.                                       | Cecil 13,383           |
| Somerset        | 1,175          | 11,631         | 3,459          | 38           | 16,304          | 20.                                       | Frederick 13,369       |
| Talbot          | 732            | 3,871          | 8,229          | 15           | 12,847          | 21.                                       | Queen Anne's 13,358    |
| Washington      | 713            | 8,409          | 4,366          | 48           | 13,535          | 22.                                       | St. Mary's 13,322      |
| Wicomico        | 842            | 9,883          | 2,798          | 144          | 13,667          | 23.                                       | Harford 13,236         |
| Worcester       | 829            | 4,197          | 12,545         | 36           | 17,606          | 24.                                       | Talbot 12,847          |
| <b>Total</b>    | <b>\$675</b>   | <b>\$7,233</b> | <b>\$6,914</b> | <b>\$95</b>  | <b>\$14,917</b> |   |                        |

Source: Local School Budgets; Department of Legislative Services

**State Expenditures:** MSDE can develop the required school grading system based on the PARCC assessment scores and distribute the results to the local school systems using existing resources. Unlike the current accountability system or any future accountability system developed under ESSA, the school grading system required by the bill only requires the use of the PARCC assessment scores. (Although a school grading system could be based on the new accountability system, once it is developed.) It should be relatively straight forward for MSDE to develop a school grading system and then grade the schools based on PARCC data. Thus, while there may be an operational effect, it is assumed this can be accomplished using existing resources.

**Local Expenditures:** MSDE will provide each local school system with the grades for the schools in their jurisdiction. As shown above in Exhibit 1, the per pupil revenues for public schools is readily available from the Department of Legislative Services and other sources, including the school systems themselves. Thus, it is assumed that local school systems can print the required information on student report cards using existing resources, although some systems may need to redesign their report cards to accommodate the additional information.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, U.S. Department of Education, Partnership for Assessment of Readiness for College and Careers, Department of Legislative Services

**Fiscal Note History:** First Reader - March 2, 2016  
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## Appendix – Assessments and Testing in Public Schools

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

Chapter 421 of 2015 established the Commission to Review Maryland’s Use of Assessments and Testing in Public Schools. In addition to other items, Chapter 421 required the Maryland State Department of Education (MSDE) to:

- 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
- compile the results of the survey into documents that are consistent across local school systems and grade levels.

The full [Report on Local, State and Federally Mandated Assessments in Maryland](#) from August 2015 can be found on MSDE’s website and the Department of Legislative Services library. The survey found that there are seven nationally mandated assessments; six State mandated assessments; and six types of locally mandated assessments. It should be noted that none of these assessments are mandated for all grades or student populations. For example, ACCESS for English Language Learners is only required for English language learners and the Kindergarten Readiness Assessment is only required for kindergarten students. The report also notes that many local school systems are currently transitioning their assessment efforts. According to the report, “They are transitioning to more technology-based assessments; they are transitioning in how they use the information produced through the assessments; and they are analyzing which assessments provide the most valuable information about teaching and learning. As a result, many school systems have recently made or are considering changes to their local assessment programs.”

### *Federal Assessment Law*

The most recent reauthorization of the Elementary and Secondary Education Act (ESEA), the [Every Student Succeeds Act of 2015](#), maintained the annual assessment requirements. The law requires annual assessments of all students in grades 3 through 8 and at least once in high school in reading/language arts and mathematics; the law also requires students to be tested in science at least once in grades 3 through 5, 6 through 8, and 9 through 12. Furthermore, ESEA sections 1111(b)(3)(C)(i) and (ix)(I) require State assessments to “be the same academic assessments used to measure the achievement of all children” and “provide for the participation in such assessments of all students.” States are required to have 95% of students participate in the assessment; although states may allow parents to have their students opt out of taking the assessment.

States may allow local school systems to use a “nationally recognized” high school exam in place of a state test. This test must be aligned to standards and equivalent to the state test in content, difficulty, and quality.

In a December 2, 2015 “Dear Colleague” letter, the U.S. Department of Education (ED) reiterated the importance of reaching the 95% participation rate and announced that, “[i]f a State with participation rates below 95% in the 2014-2015 school year fails to assess at least 95% of its students on the statewide assessment in the 2015-2016 school year, ED will take one or more of the following actions: (1) withhold Title I, Part A State administrative funds; (2) place the State’s Title I, Part A grant on high-risk status and direct the State to use a portion of its Title I State administrative funds to address low participation rates; or (3) withhold or redirect Title VI State assessment funds.”

### *Federal Recommendations*

In October 2015, the Obama Administration released a [Testing Action Plan](#) directed at reducing over testing in public schools, which was partly in response to a [report](#) by the Council of the Great City Schools that found that students typically spend about 20 to 25 hours per year (or about 2.3% of the school time) on roughly eight mandatory assessments. The plan advises that assessments be worth taking; high quality; time limited; fair – and supportive of fairness – in equity in educational opportunity; fully transparent to students and parents; just one of multiple measures; and tied to improved learning.

In regards to limiting the time spent on assessments, the plan recommends that states place a cap on the percentage of instructional time students spend taking required statewide standardized assessments to ensure that no child spends more than 2% of his or her classroom time on these assessments. Further, the plan recommends that parents receive formal notification if their child’s school exceeds this cap and an action plan should be posted to describe the steps the state will take to review and eliminate unnecessary assessments. Moreover, the plan recommends that low-quality test preparation strategies such as “drill-and-kill” be eliminated.

### *College- and Career-ready Curriculum*

Beginning with the 2013-2014 school year, a new college- and career-ready 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. The Partnership for Assessment of Readiness for College and Careers (PARCC) assessments in English language arts and mathematics, which are aligned with MCCRS, were administered statewide for the first time in the 2014-2015 school year to students in grades 3 through 8 and high school. The State Board of Education has also 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/language arts/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. These assessments will be optional and paid for by the State. 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. MSDE, local school systems, and community colleges have also agreed upon other existing methods for evaluating competency in determining college and career readiness, (e.g., Scholastic Aptitude Tests or advanced placement scores). The current PARCC contract does reflect the assumed phase-in of the additional four tests. In the current 2015-2016 school year (fiscal 2016), 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. English 11 will also be offered in fiscal 2016 as an optional test.

#### *Partnership for Assessment of Readiness for College and Careers*

The 2014-2015 PARCC testing was done in two parts – the performance-based testing in early spring and the end-of-year testing in late spring, closer to end of the school year. In May 2015, the PARCC governing board voted to:

- reduce the testing time for students by about 90 minutes overall and create more uniformity of test unit times;
- consolidate the two testing windows in mathematics and English language arts/literacy (which includes reading and writing) into one to simplify administration; and
- reduce the number of test units for all students.



PARCC reports that states and schools will have up to 30 school days in which to test during the 2015-2016 school year, but most will complete all testing in one to two weeks, depending on the school’s scheduling and availability of computers. The spring 2016 testing times for the PARCC assessments are shown in **Exhibit 1**.

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**Exhibit 1**  
**Spring 2016 PARCC Testing Times**

| <b>Grades</b> | <b>ELA</b>  | <b>Math</b>  |
|---------------|---|--|
| Grade 3       | Unit 1 – 90 minutes<br>Unit 2 – 75 minutes<br>Unit 3 – 90 minutes   | Unit 1 – 60 minutes<br>Unit 2 – 60 minutes<br>Unit 3 – 60 minutes<br>Unit 4 – 60 minutes |
| Grades 4-5    | Unit 1 – 90 minutes<br>Unit 2 – 90 minutes<br>Unit 3 – 90 minutes   | Unit 1 – 60 minutes<br>Unit 2 – 60 minutes<br>Unit 3 – 60 minutes<br>Unit 4 – 60 minutes |
| Grades 6-8    | Unit 1 – 110 minutes<br>Unit 2 – 110 minutes<br>Unit 3 – 90 minutes | Unit 1 – 80 minutes<br>Unit 2 – 80 minutes<br>Unit 3 – 80 minutes                        |
| Grades 9-12   | Unit 1 – 110 minutes<br>Unit 2 – 110 minutes<br>Unit 3 – 90 minutes | Unit 1 – 90 minutes<br>Unit 2 – 90 minutes<br>Unit 3 – 90 minutes                        |

PARCC: Partnership for Assessment of Readiness for College and Careers  
ELA: English Language Arts

Note: Math for grades 9-12 includes Algebra I, Geometry, Algebra II, and Integrated Mathematics I, II, III.

Source: Partnership for Assessment of Readiness for College and Careers

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*Limited Testing*

In response to the concern of increased testing and in response to the Commission to Review Maryland’s Use of Assessments and Testing in Public Schools, in addition to the PARCC adjustments discussed above, MSDE has reported that it has reduced the number of items on the Kindergarten Readiness Assessment and has asked local school systems to compile a list of all required assessments. In addition, MSDE has created a schedule that

shows the optimal way to administer the required assessments. MSDE reports that some local school systems have chosen to follow their schedule, while others have not.

In response to requests from the commission, in December 2015, MSDE provided an estimate of the amount of time that students spend taking mandated federal and State assessments by grade level. Overall, students in grades 3 through 8 spend between 7 and 10 hours each school year taking federally mandated tests, or 0.6% to 1.0% of instructional time based on 1,080 instructional hours in elementary and middle school and 1,170 hours in high school, in a school year. In addition, MSDE reported that students in kindergarten spend less than 1 hour per year taking the State-required Kindergarten Readiness Assessment. Finally, students spend 14.2 hours to take the four required high school assessments, three of which are also federally mandated. MSDE also surveyed local school systems on the amount of time that students spend taking mandated local assessments by grade. Overall, students spend on average 0.4% to 1.0% of their instructional time on local assessments in elementary school, increasing to about 1.5% in middle and high school. The amounts vary by grade and school system.

Some students are granted additional time to take assessments due to the student's 504 plan; (2) the federal Individuals with Disabilities Education Act; or (3) federal law relating to English language learners.