
By: Delegates Greenip, C. Mitchell, Beck, Faulkner, Baldwin, Kittleman, Ports, Holt, O'Donnell, Kach, DeCarlo, Stocksdale, Jacobs, M. Burns, and Mossburg

Introduced and read first time: January 24, 1997

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Replacement of Maryland Criterion-Referenced Tests**

3 FOR the purpose of establishing the use of certain tests to set the standard for the
4 minimum required reading level of children in the public schools; eliminating the
5 use of the Maryland Criterion-Referenced Tests as a measure of student
6 performance for evaluating educational accountability; and generally relating to
7 education.

8 BY repealing and reenacting, with amendments,
9 Article - Education
10 Section 7-202 and 7-203
11 Annotated Code of Maryland
12 (1997 Replacement Volume)

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

15 **Article - Education**

16 7-202.

17 (a) (1) The State Board shall require a minimum level of reading ability for
18 each grade 2 through 12 that rises for each succeeding grade.

19 (2) THE STANDARD FOR THE MINIMUM READING LEVEL SHALL BE
20 THAT OF A NATIONAL STANDARDIZED ACADEMIC ACHIEVEMENT TEST.

21 (b) If a county board, based on local assessment of student progress and in
22 conjunction with the Maryland education accountability program, finds that a student in
23 grade 3, 7, or 9 through 11 who is not moderately, severely, or profoundly intellectually
24 limited has not met either a minimum grade level competency or the minimum reading
25 level as required by the State Board for the previous grade, the student shall be:

26 (1) Kept in the current grade; or

27 (2) Enrolled in an appropriate reading assistance program as part of his
28 instructional program.

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1 (c) The provisions of this section may not be the sole reason for withholding grade
2 advancement more than once in grades 2 through 7.

3 (d) The State Board shall adopt bylaws to implement this section.

4 7-203.

5 (A) IN THIS SECTION, "NATIONAL STANDARDIZED TESTS" DOES NOT INCLUDE
6 THE MARYLAND CRITERION-REFERENCED TESTS.

7 [(a)] (B) The State Board, the State Superintendent, each county board, and each
8 public school shall implement a program of education accountability for the operation
9 and management of the public schools.

10 [(b)] (C) The education accountability program shall include the following:

11 (1) The State Board and the State Superintendent shall assist each county
12 board to establish educational goals and objectives that conform with statewide
13 educational objectives for subject areas including reading, writing, and mathematics;

14 (2) With the assistance of its county board, each public school shall survey
15 current student achievement in reading, language, mathematics, and other areas to assess
16 its needs;

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

20 (4) With the assistance of its county board, the State Board, and the State
21 Superintendent, each public school shall develop programs to meet its needs on the basis
22 of the priorities it sets;

23 (5) Evaluation programs shall be developed at the same time to determine if
24 the goals and objectives are being met; and

25 (6) A reevaluation of programs, goals, and objectives shall be undertaken
26 regularly.

27 [(c)] (D) National standardized [testing] TESTS [may not] SHALL be the only
28 TESTS USED TO measure STUDENT PERFORMANCE for evaluating educational
29 accountability.

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

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

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

36 [(e)] (F) The State Superintendent shall send the Governor and, subject to §
37 2-1312 of the State Government Article, the General Assembly a report each January
38 that includes:

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

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

5 [(f)] (G) On the recommendation of the State Superintendent, the State Board
6 shall include in its annual budget request the funds it considers necessary to carry out the
7 provisions of this section.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 1997.