

HOUSE BILL 1227

F1

2lr2584

By: Delegates Busch, Kaiser, Branch, Conway, Cullison, Gilchrist, Haddaway-Riccio, Kach, Luedtke, McComas, McHale, Mitchell, O'Donnell, Olszewski, Reznik, S. Robinson, Rudolph, Stukes, Waldstreicher, ~~and Zucker~~ Zucker, Cardin, Fisher, Hixson, Howard, Ivey, A. Miller, Myers, Rosenberg, Ross, Serafini, Summers, and F. Turner

Introduced and read first time: February 10, 2012

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2012

CHAPTER _____

1 AN ACT concerning

2 **Education – Core Content Areas – Accountability Program**

3 FOR the purpose of requiring the State Board of Education and the State
4 Superintendent of Schools to assist each county board of education to establish
5 certain goals and objectives that conform with certain objectives for subject
6 areas that include science and social studies; requiring each public school to
7 survey current student achievement in science and social studies; requiring the
8 State Board and the State Superintendent to ~~design and~~ implement certain
9 assessment programs in certain subjects and requiring the ~~social studies~~
10 assessment ~~program~~ programs to provide certain information and feedback;
11 requiring certain grade band assessments and end-of-course assessments to be
12 implemented and administered annually at certain levels by a certain school
13 year; requiring the State Department of Education to conduct a certain
14 statewide survey of public schools and public school teachers; requiring the
15 Department to compile and publish the survey results on the Department's Web
16 site; requiring county boards of education to include certain information in the
17 boards' comprehensive master plans and updates to the plans; ~~defining a~~
18 certain term; requiring the State ~~Department of Education Board~~ to develop
19 and implement a certain State-specific assessment State-specific assessments
20 by a certain school year if a certain ~~determination is~~ determinations are made

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 regarding ~~a certain middle school grade band and high school level assessment~~,
 2 assessments; requiring the Governor to include a certain appropriation in the
 3 fiscal year 2014 State budget bill if a certain amount of funding to administer a
 4 certain Maryland high school assessment is not provided in the fiscal year 2013
 5 State budget bill; prohibiting implementation of certain provisions of this Act
 6 under certain circumstances; defining a certain term; and generally relating to
 7 an education accountability program for certain core content areas.

8 BY repealing and reenacting, without amendments,
 9 Article – Education
 10 Section 5–401(a) and (b)(1)
 11 Annotated Code of Maryland
 12 (2008 Replacement Volume and 2011 Supplement)

13 BY repealing and reenacting, with amendments,
 14 Article – Education
 15 Section 5–401(c) and 7–203
 16 Annotated Code of Maryland
 17 (2008 Replacement Volume and 2011 Supplement)

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

20 **Article – Education**

21 5–401.

22 (a) (1) In this section the following words have the meanings indicated.

23 (2) “Local performance standards” means standards for student and
 24 school performance developed by a county board.

25 (3) “Plan” means a comprehensive master plan.

26 (4) “State performance standards” means standards for student and
 27 school performance approved by the State Board.

28 (5) “Update” means an annual update to a county board’s
 29 comprehensive master plan.

30 (b) (1) Each county board shall develop and implement a comprehensive
 31 master plan that describes the goals, objectives, and strategies that will be used to
 32 improve student achievement and meet State performance standards and local
 33 performance standards in each segment of the student population.

34 (c) The plan or update shall include:

1 (1) Goals and objectives as required under subsections (d) through (f)
 2 of this section that are aligned with State performance standards and local
 3 performance standards;

4 (2) Implementation strategies for meeting goals and objectives;

5 (3) Methods for measuring progress toward meeting goals and
 6 objectives;

7 (4) Time lines for implementation of the strategies for meeting goals
 8 and objectives;

9 (5) Time lines for meeting goals and objectives;

10 (6) A description of the alignment of the county board's budget with
 11 goals, objectives, and strategies for improving student achievement;

12 (7) The impact of the proposed goals, objectives, and implementation
 13 strategies on public school facilities and capital improvements that may be needed to
 14 implement the plan or update; [and]

15 **(8) A DESCRIPTION OF HOW THE COUNTY BOARD PLANS TO**
 16 **ENSURE AND MEASURE THE ACADEMIC PROFICIENCY OF STUDENTS IN THE**
 17 **CORE ACADEMIC SUBJECTS LISTED IN § 7-203 OF THIS ARTICLE AT VARIOUS**
 18 **POINTS DURING THE ELEMENTARY AND SECONDARY EDUCATION OF THE**
 19 **STUDENTS; AND**

20 ~~[(8)]~~ **(9)** Any other information required by the State
 21 Superintendent.

22 7-203.

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

26 (b) **(1) IN THIS SUBSECTION, "GRADE BAND ASSESSMENT" MEANS:**

27 ~~(I) ONE ASSESSMENT OF AN ELEMENTARY SCHOOL~~
 28 ~~STUDENT'S KNOWLEDGE IN A SPECIFIC SUBJECT AREA DURING GRADES 3~~
 29 ~~THROUGH 5; AND~~

30 ~~(II) ONE~~ ONE ASSESSMENT OF A MIDDLE SCHOOL
 31 STUDENT'S KNOWLEDGE IN A ~~SPECIFIC~~ CORE ACADEMIC SUBJECT AREA DURING
 32 GRADES 6 THROUGH 8.

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

2 **[(1)] (I)** The State Board and the State Superintendent shall assist
 3 each county board to establish educational goals and objectives that conform with
 4 statewide educational objectives for subject areas including reading, writing, [and]
 5 mathematics, **SCIENCE, AND SOCIAL STUDIES;**

6 **[(2)] (II)** With the assistance of its county board, each public school
 7 shall survey current student achievement in reading, language, mathematics,
 8 **SCIENCE, SOCIAL STUDIES,** and other areas to assess its needs;

9 **(III) 1. THE STATE BOARD AND THE STATE**
 10 **SUPERINTENDENT SHALL IMPLEMENT ASSESSMENT PROGRAMS IN READING,**
 11 **LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES THAT INCLUDE**
 12 **WRITTEN RESPONSES;**

13 **2. THE ~~SOCIAL STUDIES~~ ASSESSMENT PROGRAM**
 14 **REQUIRED IN THIS SUBSECTION SHALL:**

15 **A. PROVIDE INFORMATION NEEDED TO IMPROVE**
 16 **PUBLIC SCHOOLS BY ENHANCING THE LEARNING GAINS OF STUDENTS AND**
 17 **ACADEMIC MASTERY OF THE SKILLS AND KNOWLEDGE SET FORTH IN THE**
 18 **STATE'S ADOPTED CURRICULA OR COMMON CORE CURRICULA; ~~AND~~**

19 **B. INFORM THE PUBLIC ANNUALLY OF THE**
 20 **EDUCATIONAL PROGRESS MADE ~~IN SOCIAL STUDIES~~ AT THE SCHOOL, LOCAL**
 21 **SCHOOL SYSTEM, AND STATE LEVELS; AND**

22 **C. PROVIDE TIMELY FEEDBACK TO SCHOOLS AND**
 23 **TEACHERS FOR THE PURPOSES OF ADAPTING THE INSTRUCTIONAL PROGRAM**
 24 **AND MAKING PLACEMENT DECISIONS FOR STUDENTS; AND**

25 **3. BEGINNING IN THE 2014-2015 SCHOOL YEAR,**
 26 **THE FOLLOWING ASSESSMENTS SHALL BE IMPLEMENTED AND ADMINISTERED**
 27 **ANNUALLY:**

28 **~~A. AT THE ELEMENTARY SCHOOL LEVEL, A~~**
 29 **~~STATEWIDE, COMPREHENSIVE, GRADE BAND ASSESSMENT PROGRAM THAT~~**
 30 **~~MEASURES THE LEARNING GAINS OF EACH PUBLIC SCHOOL STUDENT TOWARDS~~**
 31 **~~ACHIEVING MASTERY OF THE STANDARDS SET FORTH IN THE COMMON CORE~~**
 32 **~~CURRICULA;~~**

33 **~~B.~~ AT THE MIDDLE SCHOOL LEVEL, A STATEWIDE,**
 34 **COMPREHENSIVE, GRADE BAND ASSESSMENT PROGRAM THAT MEASURES THE**

1 LEARNING GAINS OF EACH PUBLIC SCHOOL STUDENT TOWARDS ACHIEVING
 2 MASTERY OF THE STANDARDS SET FORTH IN THE ~~STATE'S ADOPTED CURRICULA~~
 3 ~~OR THE COMMON CORE CURRICULA~~ COMMON CORE CURRICULA OR THE
 4 STATE'S ADOPTED CURRICULA FOR THE CORE CONTENT AREAS OF READING,
 5 LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES; AND

6 ~~C. B.~~ B. AT THE HIGH SCHOOL LEVEL, A STATEWIDE,
 7 STANDARDIZED, END-OF-COURSE ASSESSMENT THAT IS ALIGNED WITH AND
 8 THAT MEASURES EACH PUBLIC SCHOOL STUDENT'S SKILLS AND KNOWLEDGE OF
 9 THE STATE'S ADOPTED ~~GOVERNMENT CURRICULA~~ CURRICULA FOR THE CORE
 10 CONTENT AREAS OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND
 11 SOCIAL STUDIES;

12 [(3)] (IV) Each public school shall establish as the basis for its
 13 assessment of its needs, project goals and objectives that are in keeping with the goals
 14 and objectives established by its county board and the State Board;

15 [(4)] (V) With the assistance of its county board, the State Board, and
 16 the State Superintendent, each public school shall develop programs to meet its needs
 17 on the basis of the priorities it sets;

18 [(5)] (VI) Evaluation programs shall be developed at the same time to
 19 determine if the goals and objectives are being met; and

20 [(6)] (VII) A reevaluation of programs, goals, and objectives shall be
 21 undertaken regularly.

22 (3) (I) AFTER THE 2014-2015 SCHOOL YEAR, THE STATE
 23 BOARD SHALL DETERMINE WHETHER THE ASSESSMENTS AT THE MIDDLE
 24 SCHOOL AND HIGH SCHOOL LEVELS REQUIRED UNDER PARAGRAPH (2)(III)3 OF
 25 THIS SUBSECTION ADEQUATELY MEASURE THE SKILLS AND KNOWLEDGE SET
 26 FORTH IN THE STATE'S ADOPTED CURRICULA FOR THE CORE CONTENT AREAS
 27 OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES.

28 (II) IF THE STATE BOARD MAKES A DETERMINATION UNDER
 29 SUBPARAGRAPH (I) OF THIS PARAGRAPH THAT AN ASSESSMENT DOES NOT
 30 ADEQUATELY MEASURE THE SKILLS AND KNOWLEDGE SET FORTH IN THE
 31 STATE'S ADOPTED CURRICULA FOR A CORE CONTENT AREA, THE DEPARTMENT
 32 SHALL DEVELOP A STATE-SPECIFIC ASSESSMENT IN THAT CORE CONTENT AREA
 33 TO BE IMPLEMENTED IN THE 2016-2017 SCHOOL YEAR.

34 (c) National standardized testing may not be the only measure for
 35 evaluating educational accountability.

1 (d) The Department shall assist each county board to establish an education
2 accountability program by providing:

3 (1) Guidelines for development and implementation of the program by
4 the county boards; and

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

7 **(E) (1) THE DEPARTMENT SHALL SURVEY A STATEWIDE,**
8 **REPRESENTATIVE SAMPLE OF PUBLIC SCHOOLS AND PUBLIC SCHOOL**
9 **TEACHERS ANNUALLY TO MEASURE:**

10 **(I) THE AMOUNT OF INSTRUCTIONAL TIME SPENT ON**
11 **SOCIAL STUDIES AND SCIENCE INSTRUCTION IN ELEMENTARY SCHOOLS;**

12 **(II) THE AVAILABILITY AND USE OF APPROPRIATE**
13 **INSTRUCTIONAL RESOURCES AND TEACHING TECHNOLOGY IN SOCIAL STUDIES**
14 **AND SCIENCE CLASSROOMS;**

15 **(III) THE AVAILABILITY AND USE OF APPROPRIATE**
16 **PROFESSIONAL DEVELOPMENT FOR SOCIAL STUDIES AND SCIENCE TEACHERS;**
17 **AND**

18 **(IV) THE NUMBER OF SECONDARY SCHOOL SOCIAL STUDIES**
19 **AND SCIENCE CLASSES THAT ARE TAUGHT BY TEACHERS WHO ARE:**

20 **1. CERTIFIED IN THE SUBJECT BEING TAUGHT; AND**

21 **2. NOT CERTIFIED IN THE SUBJECT BEING TAUGHT.**

22 **(2) THE DEPARTMENT SHALL:**

23 **(I) COMPILE THE RESULTS OF THE SURVEY CONDUCTED**
24 **UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND**

25 **(II) PUBLISH THE RESULTS ON THE DEPARTMENT'S WEB**
26 **SITE.**

27 ~~(E)~~ **(F)** The State Superintendent shall send the Governor and, subject to §
28 2-1246 of the State Government Article, the General Assembly a report each January
29 that includes:

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

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

7 ~~(F)~~ (G) On the recommendation of the State Superintendent, the State
8 Board shall include in its annual budget request the funds it considers necessary to
9 carry out the provisions of this section.

10 ~~SECTION 2. AND BE IT FURTHER ENACTED, That, if after the 2014-2015~~
11 ~~school year, the State Board of Education, in consultation with the Maryland Social~~
12 ~~Studies Advisory Council, determines that the middle school grade band assessment~~
13 ~~does not adequately measure the skills and knowledge set forth in the State's adopted~~
14 ~~social studies curricula, the State Department of Education shall develop a State~~
15 ~~specific assessment to be implemented in the 2016-2017 school year.~~

16 SECTION 2. AND BE IT FURTHER ENACTED, That if funding is not provided
17 in the fiscal year 2013 State budget bill (Chapter _____ (S.B. 150) of the Acts of the
18 General Assembly of 2012) in an amount sufficient to administer the Maryland high
19 school assessment for government to meet the requirements of this Act, the Governor
20 shall include an appropriation in the fiscal year 2014 State budget bill in an amount
21 sufficient to administer the Maryland high school assessment for government to meet
22 the requirements of this Act.

23 SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding §
24 7-203(b) of the Education Article, as enacted by Section 1 of this Act, if the State
25 Board of Education has not adopted an assessment to measure the common core
26 curricula before July 30, 2014, then the requirements of § 7-203(b)(2)(iii)3A and (3)(i)
27 for middle school assessments, as enacted by Section 1 of this Act, may not be
28 implemented until the first day of school in the school year that follows the adoption of
29 an assessment to measure the common core curricula by the State Board.

30 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take
31 effect July 1, 2012.