

Department of Legislative Services  
 Maryland General Assembly  
 2018 Session

FISCAL AND POLICY NOTE  
 Third Reader - Revised

House Bill 910  
 Ways and Means

(Delegate Luedtke, *et al.*)  
 Education, Health, and Environmental Affairs

**Education - Students With Reading Difficulties - Screenings and Interventions**

This bill requires, beginning with the 2019-2020 school year, each local school board to ensure that specified students are screened to identify if the student is at risk for reading difficulties. If the screening results indicate that the student is at risk of reading difficulties, the local board must determine whether the student needs reading instruction intervention; provide the intervention, as appropriate; and provide a notification letter to the student’s parent as specified. The Maryland State Department of Education (MSDE) must develop and update specified resources and protocols for local boards and provide training opportunities annually. Local boards must report annually to MSDE beginning with the 2020-2021 school year. **The bill takes effect July 1, 2018.**

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$54,300 in FY 2019. Future year expenditures reflect annual salary increases and removal of one-time costs. Revenues are not affected.

(in dollars)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	54,300	66,300	68,200	70,700	73,300
Net Effect	(\$54,300)	(\$66,300)	(\$68,200)	(\$70,700)	(\$73,300)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Expenditures for some local school systems increase substantially beginning in fiscal 2020. **This bill may impose a mandate on a unit of local government.**

**Small Business Effect:** None.

## Analysis

**Bill Summary:** A local board must select a screening instrument that has strong predictive validity and classification accuracy, is economical to administer, and uses norm-referenced or criterion-based scores. The screenings may not be included in the time limitation for assessments required by State law. The bill specifies additional required components for students who are in prekindergarten, kindergarten, and first grade as well as the schedule for screening at each of these grade levels. On registration of a prekindergarten, kindergarten, or first-grade student, the local board of education must provide the parent of the student with a clear description of the screening and support process in the county.

The bill specifies what the structured literacy reading instruction intervention must include and the resources and protocols that MSDE must create for local boards by June 1, 2019 and update annually. MSDE must annually provide training opportunities for school administrators and individuals who conduct the screenings on:

- administration and interpretation of (1) screening and informal diagnostic assessments and (2) progress monitoring instruments and student data;
- providing and interpreting screening and intervention results for parents;
- designing flexible student groupings based on diagnostic screening data for delivery of evidence-based reading interventions; and
- elements and principles of evidence-based structured literacy reading instruction aligned with best practices for students with reading difficulties, such as dyslexia.

Beginning with the 2020-2021 school year, local boards must report annually to MSDE on the number of students (1) screened; (2) identified through screening as at risk for reading difficulties; and (3) who received a reading intervention program. The annual report must also indicate the grade level of the student when identified as at risk.

MSDE must adopt regulations to carry out provisions of the bill, including procedures and criteria for exempting a student who is an English language learner from a screening requirement.

**Current Law:** In consultation with the State Superintendent of Schools, the State Board of Education (State board) must develop and periodically update an overall plan that must identify, in part, the methods to improve the diagnosis of basic reading skill deficiencies of elementary and secondary school students and to improve the literacy rates of these students.

The State board must require a minimum level of reading ability for each grade 2 through 12 student that rises for each succeeding grade. If a local board, based on local assessment

of student progress and in conjunction with the Maryland education accountability program, finds that a student in grade 3, 7, or 9 through 11 who is not moderately, severely, or profoundly intellectually limited has not met either a minimum grade level competency or the minimum reading level as required by the State board for the previous grade, the student must be kept in the current grade or enrolled in an appropriate reading-assistance program as part of the student's instructional program. Such a finding may not be the sole reason for withholding grade advancement more than once in grades 2 through 7.

The State board and the State superintendent must assist each local board to establish educational goals and objectives that conform with statewide educational objectives for subject areas including reading, writing, mathematics, science, and social studies. With the assistance of its local board, each public school must survey current student achievement in reading, language, mathematics, science, social studies, and other areas to assess its needs. The State board and the State Superintendent must implement assessment programs in reading, language, mathematics, science, and social studies that include written responses.

State regulations specify the qualifications necessary for certification as a reading teacher and as a reading specialist. Also per State regulations, the determination that a student is a student with a disability must not be made if the determining factor is (1) the lack of appropriate instruction in reading, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency and oral reading skill, and reading comprehension strategies; (2) a lack of instruction in math; or (3) limited English proficiency.

Local school systems may not devote more than a specified amount of time on federal, State, or local mandated assessments that are intended to measure a student's academic readiness, learning progress, and skill acquisition. A teacher-developed quiz or test and a sampling test that is not administered to all students are not included in the time limitation.

**State Expenditures:** MSDE will require the hiring of one instructional content specialist to carry out requirements of the bill, including annually developing and updating specified resources and protocols for use by the local boards and providing training opportunities on screening instruments and instruction interventions for individuals who conduct screenings and school administrators, as well as analyzing data received annually from local boards.

These expenditures total \$54,277 in fiscal 2019, which accounts for a 90-day start-up delay following the bill's July 1, 2018 effective date. This estimate includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Instructional Content Specialist	1
Salary and Fringe Benefits	\$48,918
Operating Expenses	<u>5,359</u>
<b>Total FY 2019 State Expenditures</b>	<b>\$54,277</b>

Future year expenditures for the position reflect annual increases in salary, elimination of one-time costs, and ongoing operating expenses.

**Local Expenditures:** Montgomery County advises that additional costs associated with required screening tools and reading interventions, as well as associated professional development, for the prekindergarten through grade 2 population across 134 elementary schools will total approximately \$3.1 million in fiscal 2020; costs in subsequent years total approximately \$50,000 annually. It is assumed that because Montgomery County has the largest public school population in the State, any additional costs for most other local school systems will be comparatively modest. Queen Anne’s County advises that its current screening tools and reading interventions align with requirements of the bill such that no additional costs will be incurred by the local school system.

### Additional Information

**Prior Introductions:** None.

**Cross File:** SB 548 (Senator Conway) - Education, Health, and Environmental Affairs.

**Information Source(s):** Montgomery and Queen Anne’s counties; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 20, 2018  
 nb/rhh Third Reader - April 4, 2018  
 Revised - Amendment(s) - April 4, 2018

Analysis by: Scott P. Gates

Direct Inquiries to:  
 (410) 946-5510  
 (301) 970-5510