

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Enrolled - Revised**

House Bill 1019  
Ways and Means

(Delegates Guyton and Luedtke)

Education, Health, and Environmental Affairs

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**State Board of Education - Public High School Students - Assessments and  
Graduation Requirements**

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This bill establishes a restriction on assessment requirements for high school graduation adopted by the State Board of Education. Specifically, the State board may only require a passing score on a standardized assessment to evaluate a student for graduation from high school after the assessment has been field-tested and piloted for at least one year. **The bill takes effect July 1, 2019.**

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**Fiscal Summary**

**State Effect:** As explained below, the bill can be implemented using existing resources.

**Local Effect:** As under current law, any impact on local school systems depends on choices made by the State Board of Education; any impact is likely operational, as the State currently pays for assessments required for high school graduation.

**Small Business Effect:** None.

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**Analysis**

**Current Law/Background:**

*Federal Assessment Requirements*

The federal Every Student Succeeds Act (ESSA) is the most recent reauthorization of the Elementary and Secondary Education Act. It 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 is in the process of transitioning from the Partnership for Assessment of Readiness for College and Careers assessment to the Maryland Comprehensive Assessment Program (MCAP) to meet the ESSA requirements. The Maryland State Department of Education (MSDE) reports that MCAPs will be fully implemented by 2020. During this transition period, MSDE has already begun to refer to Maryland's assessment program as MCAP. The high school assessments, which are part of MCAPs, are also referred to as the Maryland High School Assessments (MHSAs) and include assessments in English, mathematics, science, and social studies.

### *General Program of Assessments*

Among other things, Chapters 476 and 477 of 2012 required the State Board of Education and the State Superintendent of Schools to implement assessment programs in reading, language, mathematics, science, and social studies that include written responses.

At the high school level, there must be a statewide, standardized, end-of-course assessment that is aligned with and that measures each public school student's skills and knowledge of the State's adopted curricula for the core content areas of reading, language, mathematics, science, and social studies. These assessments are sometimes called MHSAs.

### *High School Graduation Assessment Requirements*

With the advice of the State Superintendent of Schools, the State Board of Education establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the regulations, bylaws, policies, and guidelines established by the State Board of Education, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction. Policies, rules, and regulations for the graduation of students from Maryland public schools are established by local boards of education and the State Board of Education.

The State Board of Education must establish high school curriculum and graduation requirements for all public schools in accordance with law. The current credit requirements required to earn a public high school diploma are shown in the **Appendix – State Public High School Diploma Credit Requirements**. Local school systems may establish graduation requirements beyond the minimum requirements established by the State board.

Maryland high school graduation assessment requirements are not contained in statute. According to State board regulations, to be awarded a Maryland high school diploma, a student must meet the graduation assessment requirements. A student may meet the graduation assessment requirements in the following ways:

- by taking and passing the MHSAs in English 10, Algebra I, science, and government;
- by taking and passing approved alternative assessments for the MHSAs;
- by successfully completing the Bridge Plan for Academic Validation; or
- through a waiver of the MHSA graduation requirement in certain circumstances.

The options available to a student and the cut scores required depend on when the student first entered grade 9 and which year the student first took the assessment. The most recently updated requirements can be found in [Graduation Requirements for Public High Schools in Maryland](#) published in March 2018. According to current MSDE guidelines, as shown in **Exhibit 1**, a student who is a first-time ninth grader in 2019-2020 will need to earn a 725 on both the English 10 and Algebra 1 assessments to meet the “passing score” graduation requirement. Alternatively, the passing score graduation requirement can be met using specified Advanced Placement or International Baccalaureate exams.

**Exhibit 1**  
**Passing Scores for English 10 and Algebra 1**  
**High School Graduation Requirements**

<b><u>Assessment/ School Year</u></b>	<b><u>English 10 Cut Score</u></b>	<b><u>Algebra 1 Cut Score</u></b>
2016-2017 2017-2018	Graduating 2016-2017 or 2017-2018: participation only	Graduating 2016-2017 or 2017-2018: participation only
2018-2019 2019-2020	First time ninth grader 2019-2020 and earlier: 725	First time ninth grader 2019-2020 and earlier: 725
2020-2021 and later	First time ninth grader 2020-2021 and later: 750	First time ninth grader 2020-2021 and later: 750

Source: Maryland State Department of Education; Department of Legislative Services

The current science MHSA is known as the High School Maryland Integrated Science Assessment (HS MISA). The HS MISA is aligned with the Maryland Next Generation Science Standards, which were adopted by the State Board of Education in 2013. According to the March 2018 Graduation Requirements for Public High Schools in Maryland, beginning in the 2019-2020 school year, students must pass the HS MISA (or meet the assessment requirement in a specified alternative manner) in order to graduate. The HS MISA will be administered for the first time statewide during the 2018-2019 school year.

According to regulations, students must earn three credits of science which includes a laboratory component engaging in the application of the science and engineering practices, the crosscutting concepts, and disciplinary core ideas including earth/space science, life science, physical science (chemistry and physics), engineering, and technology, and aligned to the HS MISA. Most students will take the HS MISA in grade 11 following their completion of all three science courses as the test covers content from all three courses.

The current MHSA in government has been a graduation requirement since the 2013-2014 school year. Students must earn a score of 394 or above. The MHSA in government is taken after a course in local, state, and national government. The More Learning, Less Testing Act of 2017 (Chapter 731) requires that the assessment include, "...to the greatest extent possible, criterion-referenced, performance-based tasks that require students to utilize critical and historical thinking skills and analyze primary sources." To comply with the law, beginning with the January 2019 administration, the MHSA in government assessment will include evidence-based argument sets (EBAS). For the 2019 administrations, the EBAS will be field tested, and thus will not be a part of the items used to determine student scores. Beginning with the January 2020 administration, the EBAS will be used to determine student scores.

**State Fiscal Effect:** The bill can be implemented with existing resources. The State board has already chosen to make a passing score on specified assessments or specified assessment alternatives a graduation requirement.

However, the question of when an assessment is "new" may have an operational impact on the State board and MSDE. The Department of Legislative Services advises that the bill is silent on what constitutes the first year of administration of an assessment. As discussed above, MSDE is in the middle of an assessment transition period and reports that MCAPS will be fully implemented by 2020. However, it has also stated that the assessments are a continuation of the existing assessments. Further, it is standard practice to continually refresh assessment questions with new questions each year. If the MCAPS or the standard practice were considered a new assessment, the bill would have an operational impact on the State board, MSDE, school systems and students.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education; Baltimore County Public Schools; Anne Arundel County Public Schools; St. Mary's County Public Schools; College Board; Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2019  
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# Appendix – State Public High School Diploma Credit Requirements

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According to State regulations, to be awarded a high school diploma, a student must be enrolled in a Maryland public school system and have earned a minimum of 21 credits in specified subjects as detailed in **Exhibit 1**.

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## Exhibit 1 Distribution of Credits Required to Graduate High School

<u>Subject</u>	<u>Credits</u>
English	4.0
Fine Arts	1.0
Mathematics <sup>1</sup>	3.0
Physical Education	0.5
Health Education	0.5
Science	3.0
Social Studies	3.0
Technology Education	1.0
World Language <i>or</i> American Sign Language <i>or</i> Advanced Technology Education <sup>2</sup>	2.0
Electives <sup>2</sup>	3.0

Note: The credits must meet other requirements specified in the Code of Maryland Regulations. Elective programs and instruction must be developed at the discretion of the local school system, be open to enrollment for all students, and focus on in-depth study in required subject areas, exploration, or application and integration of what has been learned. In addition, all students must complete a locally designed high school program of environmental literacy approved by the State Superintendent of Schools.

<sup>1</sup>However, beginning with students entering grade 9 in the 2014-2015 school year, each student must enroll in a mathematics course in each year of high school that the student attends, up to a maximum of four years of attendance, unless in the fifth or sixth year a mathematics course is needed to meet a graduation requirement.

<sup>2</sup>Alternatively, a student may successfully complete a State-approved career and technology program for four credits and one credit in an elective.

Source: Code of Maryland Regulations; Department of Legislative Services

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