

## Article - Education

[\[Previous\]](#)[\[Next\]](#)

§7–203.

(a) (1) The State Board, the State Superintendent, each county board, and each public school shall implement a program of education accountability for the operation and management of the public schools.

(2) A Consolidated State Plan to improve student outcomes submitted by the Department to the United States Department of Education under the federal Elementary and Secondary Education Act shall comply with the requirements of this subtitle.

(b) (1) In this subsection, “grade band assessment” means one assessment of a middle school student’s knowledge in a core academic subject area during grades 6 through 8.

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

(i) The State Board and the State Superintendent shall assist each county board to establish educational goals and objectives that conform with statewide educational objectives for subject areas including reading, writing, mathematics, science, and social studies;

(ii) With the assistance of its county board, each public school shall survey current student achievement in reading, language, mathematics, science, social studies, and other areas to assess its needs;

(iii) 1. The State Board and the State Superintendent shall implement assessment programs in reading, language, mathematics, science, and social studies that include written responses;

2. The assessment program required in this subsection shall:

A. Provide information needed to improve public schools by enhancing the learning gains of students and academic mastery of the skills and knowledge set forth in the State’s adopted curricula or common core curricula;

B. Inform the public annually of the educational progress made at the school, local school system, and State levels; and

C. Provide timely feedback to schools and teachers for the purposes of adapting the instructional program and making placement decisions for students; and

3. The following assessments shall be implemented and administered annually:

A. At the middle school level, a statewide, comprehensive, grade band assessment program that measures the learning gains of each public school student towards achieving mastery of the standards set forth in the common core curricula or the State's adopted curricula for the core content areas of reading, language, mathematics, science, and social studies; and

B. At the high school level, 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;

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

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

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

(vii) A reevaluation of programs, goals, and objectives shall be undertaken regularly.

(3) (i) The State Board shall determine whether the assessments required under paragraph (2)(iii)3 of this subsection adequately measure the skills and knowledge set forth in the State's adopted curricula for the core content areas of reading, language, mathematics, science, and social studies.

(ii) If the State Board makes a determination under subparagraph (i) of this paragraph that an assessment does not adequately measure the skills and knowledge set forth in the State's adopted curricula for a core content area, the State Board shall develop a State-specific assessment in that core content area to be implemented in the 2018-2019 school year.

(4) At the middle school level, the State Board shall develop, in collaboration with county boards, county curriculum specialists in social studies, middle school social studies teachers, and academics with expertise in social studies education, a social studies assessment that:

(i) Consists, to the greatest extent possible, of criterion-referenced, performance-based tasks that require students to utilize critical and historical thinking skills and analyze primary sources;

(ii) Shall be administered, to the greatest extent possible, within existing class periods; and

(iii) Shall be implemented in the 2019–2020 school year.

(5) At the high school level, when the Department’s contract for the current high school social studies assessment expires, the State Board shall, in collaboration with county boards, county curriculum specialists in social studies, high school social studies teachers, and academics with expertise in social studies education, redesign the high school level social studies assessment to:

(i) Consist, to the greatest extent possible, of criterion-referenced, performance-based tasks that require students to utilize critical and historical thinking skills and analyze primary sources;

(ii) Be administered, to the greatest extent possible, within existing class periods; and

(iii) Be implemented in the 2018–2019 school year, and each year thereafter.

(c) (1) National standardized testing may not be the only measure for evaluating educational accountability.

(2) (i) An educational accountability program shall include at least three school quality indicators that measure the comparative opportunities provided to students or the level of student success in public schools.

(ii) 1. One of the school quality indicators under subparagraph (i) of this paragraph shall be school climate surveys.

2. The school climate surveys shall include at least one question to educators regarding the receipt of critical instructional feedback.

(iii) Other school quality indicators may include:

1. Class size;
2. Case load;
3. Opportunities for:
  - A. Advanced Placement courses and International Baccalaureate Programs;
  - B. Career and Technology Education Programs; and
  - C. Dual enrollment;
4. Chronic absenteeism;
5. Data on discipline and restorative practices; and
6. Access to teachers who hold an Advanced Professional Certificate or have obtained National Board Certification.

(iv) The school quality indicators used in subparagraph (i) of this paragraph may not be based on student testing.

(v) 1. The State Board shall establish a composite score that provides for meaningful differentiation of schools under the school accountability system.

2. The composite score established under subparagraph 1 of this subparagraph shall:

A. Include both academic and school quality indicators;

B. Incorporate a methodology that compares schools that share similar demographic characteristics, including the proportion of economically disadvantaged students, as defined by the State in accordance with federal law; and

C. Be reported in a manner that states for each score the individual indicator score that is used to calculate the composite score for each school.

3. The combined total of the academic indicators may not exceed 65% of the composite score.

- and
4. The composite score:
    - A. Shall be calculated numerically in a percentile form;
    - B. May not be reported using a letter grade model.
  5. No academic indicator may be weighted as less than 10% of the total amount of the composite score.
  6. No school quality indicator described under this paragraph may be weighted as less than 10% of the total amount of the composite score.
  7. Subject to this subparagraph, the final weights of the academic and school quality indicators shall be determined by the State Board, with stakeholder input.

(vi) Of the academic indicators established by the State Board under subparagraph (v) of this paragraph, one shall be access to or credit for completion of a well-rounded curriculum that is indicative of on-track progress at key transition points within elementary and secondary education.

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

- (1) Guidelines for development and implementation of the program by the county boards; and
- (2) Assistance and coordination where it is needed and requested by the county boards.

(e) (1) The Department shall survey a statewide, representative sample of public schools and public school teachers annually to measure:

- (i) The amount of instructional time spent on social studies and science instruction in elementary schools;
- (ii) The availability and use of appropriate instructional resources and teaching technology in social studies and science classrooms;
- (iii) The availability and use of appropriate professional development for social studies and science teachers; and

(iv) The number of secondary school social studies and science classes that are taught by teachers who are:

1. Certified in the subject being taught; and
2. Not certified in the subject being taught.

(2) The Department shall:

(i) Compile the results of the survey conducted under paragraph (1) of this subsection; and

(ii) Publish the results on the Department's website.

(f) On or before March 1 each year, the State Superintendent shall send the Governor and, subject to § 2-1257 of the State Government Article, the General Assembly a report that includes:

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

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

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

(h) (1) (i) In this subsection, "assessment" means a federal, State, or locally mandated test that is intended to measure a student's academic readiness, learning progress, and skill acquisition.

(ii) "Assessment" does not include:

1. A teacher-developed quiz or test; or
2. A sampling test that is not administered to all students.

(2) (i) On or before August 1, 2017, and each August 1 thereafter in an odd-numbered year, a county board and the exclusive employee representative for teachers for that local school system shall meet and confer regarding:

1. A rubric for evaluating local assessments;
2. The time required to administer each local assessment; and
3. The purpose of each local assessment.

(ii) 1. Beginning on or after January 1, 2018, and each January 1 thereafter in an even-numbered year, a county board shall establish a District Committee on Assessments that includes administrators, parents, and teachers selected by the exclusive bargaining unit to advise and make recommendations in the following areas:

- A. The time required to administer each assessment;
- B. The duplicativeness of assessments;
- C. The purpose of assessments;
- D. The value of feedback provided to educators; and
- E. The timeliness of results.

2. On or before June 1, 2019, and each June 1 thereafter in an odd-numbered year, the District Committee on Assessments shall submit the Committee's recommendations to the county board and exclusive employee representative for teachers for that local school system.

(iii) Subject to subparagraph (iv) of this paragraph, on or before December 1, 2017, and each December 1 thereafter in an odd-numbered year, a county board and the exclusive employee representative for that local school system shall mutually agree to the amount of time in the aggregate that shall be devoted to federal, State, or locally mandated assessments, on a grade-by-grade basis, for the following year.

(iv) Subject to subparagraph (v) of this paragraph, if a county board and the exclusive employee representative fail to mutually agree under subparagraph (iii) of this paragraph, the amount of time in the aggregate that shall be devoted to federal, State, or locally mandated assessments shall be no more than

2.2% of the minimum required annual instructional hours in accordance with § 7–103 of this title.

(v) If a county board and the exclusive employee representative fail to mutually agree under subparagraph (iii) of this paragraph, the amount of time in the aggregate that shall be devoted to federal, State, or locally mandated assessments in the eighth grade shall be no more than 2.3% of the minimum required annual instructional hours in accordance with § 7–103 of this title.

(3) A student may not be subject to the requirement under paragraph (2) of this subsection if the student participates in:

(i) An advanced placement or international baccalaureate program; or

(ii) The Scholastic Aptitude Test (SAT), if administered during the regular school day.

(4) Time devoted to teacher–selected classroom quizzes, exams, portfolio reviews, or performance assessments may not be counted toward the requirement under paragraph (2) of this subsection.

(5) This subsection may not be construed to include the requirements of:

(i) A student’s 504 plan;

(ii) The federal Individuals with Disabilities Education Act, 20 U.S.C. § 1400, et seq.; or

(iii) Federal law relating to English language learners.

(6) This subsection may not be construed to supersede the requirements of the federal Elementary and Secondary Education Act, 20 U.S.C. § 6301, et seq.

[\[Previous\]](#)[\[Next\]](#)