

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
State Board of Education**  
(DLS Control No. 14-096)

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## **Overview and Legal and Fiscal Impact**

This regulation requires each local school system to offer a mathematics program for each year that a student is enrolled in high school, up to a maximum of four years, unless in the fifth or sixth year a mathematics course is needed to meet a graduation requirement. Further, the regulation establishes content-knowledge requirements and specifies that each local school system must align its mathematics curriculum with the Maryland College- and Career-Ready Standards.

The regulation presents no legal issues of concern, but comments are included in the *Special Notes* section below for the committee's consideration.

There is no fiscal impact on State or local agencies.

## **Regulation of COMAR Affected**

### **State Board of Education:**

Specific Subjects: Program in Mathematics: COMAR 13A.04.12.01

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## **Legal Analysis**

### **Background**

In January 2014, the State Board of Education requested emergency status for a proposed regulation that required each local school system to offer a mathematics program for each year that a student is enrolled in high school (*See* DLS Control No. 14-001). This emergency regulation established content-knowledge requirements and specified that each local school system must align its mathematics curriculum with the Maryland Common Core State curriculum, which is aligned to the Common Core State Standards. Following a hearing that was held on February 11, 2014, the committee approved the emergency status to run from the period of January 30, 2014, until July 29, 2014.

### **Summary of Regulation**

This regulation is similar to the regulation for which emergency status was requested in January 2014. COMAR 13A.04.12.01 requires each local school system to offer a mathematics program for each year that a student is enrolled in high school, up to a maximum of four years, unless in the fifth or sixth year a mathematics course is needed to meet a graduation requirement. This program must include: mathematics transition courses, Algebra II, Pre-Calculus, Discrete

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Mathematics, Linear Algebra, Probability and Statistics, AP Computer Science, AP Calculus (A/B and B/C), or a computer science course that is not AP Computer Science if the local school system determines that the course meets specified other requirements. Further, the regulation establishes grade-band content-knowledge requirements for students in prekindergarten through fifth grade, sixth grade through eighth grade, and for high school students. All students must demonstrate knowledge of the processes and proficiencies of mathematics, including problem-solving, abstract and quantitative reasoning, argument and critique, strategic use of mathematics tools, attention to precision, and looking for and expressing regularity in repeated reasoning. Finally, the regulation specifies that each local school system must align its mathematics curriculum with the Maryland College- and Career-Ready Standards.

### **Legal Issue**

The regulation presents no legal issues of concern.

### **Statutory Authority and Legislative Intent**

The State board cites §§ 2-205(h) and 7-205.1 of the Education Article as legal authority for the regulation. Section 2-205(h) requires the State board, with the advice of the State Superintendent of Schools, to establish basic policy and guidelines for the program of instruction in the public schools. Section 7-205.1 specifies that, beginning with the ninth grade class of 2014, each student must enroll in a mathematics course in each year of high school that the student attends high school. The State Department of Education must adopt regulations that establish the mathematics and math-related courses that fulfill this requirement, and may include math-related career and technology programs.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

### **Special Notes**

Although there are no legal issues of concern with the regulation, it may be worth noting that the reference in proposed 13A.04.12.01A.(2) to “students entering grade 9 in the 2014 school year...” could be made more clear and more consistent with § 7-205.1(c)(1) of the Education Article if it were stated as “[b]eginning with the 9th grade class of 2014...”. This would convey definitively that the ninth grade class of the 2014-2015 school year would be the *first* cohort, not the *only* cohort of students to which this regulation applies. Further, if the regulation referred to the “2014-2015 school year” rather than to “the 2014 school year” this would more accurately reflect the legislative intent of the law, despite the fact that this is the same language used in the statute. Finally, § 7-205.1(d) states that “[i]t is the goal of the State that all students achieve mathematics competency in Algebra II.” This goal is not explicitly reflected in the regulation. The State board has been notified of each of these comments.

### **Fiscal Analysis**

There is no fiscal impact on State or local agencies.

## **Agency Estimate of Projected Fiscal Impact**

The department advises that the regulation implements the College and Career Readiness and College Completion Act of 2013 (Chapter 533) by requiring four years of math during high school for each ninth grade student entering high school in the fall of 2014 and to align the mathematics standards to the Maryland College- and Career-Ready Standards. (Note that the Maryland State Department of Education will be revising the regulation to clarify that the math requirement applies to students entering high school *beginning* in the fall of 2014 and thereafter.) In the fiscal and policy note for Chapter 533, the Department of Legislative Services advised that local school system expenditures may increase to ensure that all students complete a mathematics course in each year of high school and to implement grade 12 transition courses. Prior to the enactment of Chapter 533, 15 local school systems required or were planning to require 4.0 credits of math to graduate, and many students in the other 9 systems completed 4 years of mathematics. However, the Department of Legislative Services advises that there is no fiscal impact beyond that discussed in the fiscal and policy note for Chapter 533.

### **Impact on Budget**

There is no impact on the State operating or capital budget.

### **Agency Estimate of Projected Small Business Impact**

The department advises that the regulation has minimal or no economic impact on small businesses in the State. The Department of Legislative Services concurs.

### **Contact Information**

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