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**By: Delegates Greenip, Faulkner, O'Donnell, Ports, Beck, Kittleman, Baldwin, Jacobs,  
M. Burns, Stocksdale, Schade, Rzepkowski, and Redmer**

Introduced and read first time: January 29, 1997

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Standardized Testing - Options**

3 FOR the purpose of allowing the use of certain tests as the standard for the minimum  
4 required reading level of children in the public schools; allowing parents certain  
5 options for the testing of the academic achievement of their children in the public  
6 schools and for educational accountability; and generally relating to the  
7 measurement of the academic achievement of children in the public schools in the  
8 State.

9 BY repealing and reenacting, with amendments,  
10 Article - Education  
11 Section 7-202 and 7-203  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume)

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

16 **Article - Education**

17 7-202.

18 (a) (1) The State Board shall require a minimum level of reading ability for  
19 each grade 2 through 12 that rises for each succeeding grade.

20 (2) THE STANDARD FOR THE MINIMUM READING LEVEL SHALL BE  
21 THAT OF A NATIONAL STANDARDIZED ACADEMIC ACHIEVEMENT TEST.

22 (b) If a county board, based on local assessment of student progress and in  
23 conjunction with the Maryland education accountability program, finds that a student in  
24 grade 3, 7, or 9 through 11 who is not moderately, severely, or profoundly intellectually  
25 limited has not met either a minimum grade level competency or the minimum reading  
26 level as required by the State Board for the previous grade, the student shall be:

27 (1) Kept in the current grade; or

28 (2) Enrolled in an appropriate reading assistance program as part of his  
29 instructional program.

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1 (c) The provisions of this section may not be the sole reason for withholding grade  
2 advancement more than once in grades 2 through 7.

3 (d) The State Board shall adopt bylaws to implement this section.

4 7-203.

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

8 (b) The education accountability program shall include the following:

9 (1) The State Board and the State Superintendent shall assist each county  
10 board to establish educational goals and objectives that conform with statewide  
11 educational objectives for subject areas including reading, writing, and mathematics;

12 (2) With the assistance of its county board, each public school shall survey  
13 current student achievement in reading, language, mathematics, and other areas to assess  
14 its needs;

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

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

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

23 (6) A reevaluation of programs, goals, and objectives shall be undertaken  
24 regularly.

25 (c) AT THE CHOICE OF THE PARENTS OR LEGAL GUARDIANS OF A CHILD  
26 ATTENDING A PUBLIC SCHOOL IN THE STATE, [National] NATIONAL standardized  
27 testing OR THE MARYLAND CRITERION REFERENCED TEST may [not] be the [only]  
28 measure USED for evaluating THE ACADEMIC ACHIEVEMENT OF THEIR CHILDREN  
29 AND FOR educational accountability.

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

32 (1) Guidelines for development and implementation of the program by the  
33 county boards; and

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

36 (e) The State Superintendent shall send the Governor and, subject to § 2-1312 of  
37 the State Government Article, the General Assembly a report each January that includes:

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

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

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

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 June 1, 1997.