

**Department of Legislative Services**  
Maryland General Assembly  
2008 Session

**FISCAL AND POLICY NOTE**

Senate Bill 787 (Senator Muse)  
Education, Health, and Environmental Affairs

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**Education - High School Assessment Requirement**

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This bill prohibits the State Board of Education from including the passing of statewide, mandatory, curriculum-based examinations or assessments in its requirements for graduation from a public high school in the State.

The bill takes effect July 1, 2008.

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**Fiscal Summary**

**State Effect:** Prohibiting the State Board of Education from requiring students to pass the Maryland High School Assessments (HSAs) in order to graduate from high school would not materially affect State finances.

**Local Effect:** Eliminating HSAs as a graduation requirement could allow local school systems to reallocate resources somewhat but would not materially affect total school spending.

**Small Business Effect:** Potential minimal.

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**Analysis**

**Current Law:** 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.

By regulation, a student must complete the credit requirements established by the State Board of Education, a student service requirement, and any local school system requirements to qualify for graduation from a public high school in Maryland. Beginning with the cohort of students who entered grade 9 in the 2005-2006 school year, each student will also be required to pass each HSA or achieve a combined total score on the HSAs in order to qualify for a high school diploma.

**Background:** After many years of consideration, the State Board of Education decided in 2004 to make passage of the HSAs mandatory for high school graduation beginning with the class of 2009. HSAs are end-of-course tests taken in four subject areas: algebra; biology; government; and English. Students take each HSA after completing the applicable course and may subsequently take the test multiple times each year until a passing score is achieved.

Committee narrative in the 2007 *Joint Chairmen's Report* noted that the State Board of Education planned to undertake a thorough examination of student performance on the HSAs following the spring 2007 administration of the tests and commended the board for taking up the issue one year earlier than required by regulations. The committees also requested that, in its review of the HSAs, the board hold five regional public hearings "to educate the public about current policies ... and to hear the public's concerns." The five hearings were held in Baltimore City and Allegany, Charles, Prince George's, and Talbot counties in September 2007, and more than 120 participants testified at the hearings.

After hearing concerns from the public, as well as local superintendents of schools and other stakeholders, the Maryland State Department of Education addressed some of the concerns voiced at the public hearings. First, to address concerns about the time it takes to score assessments, MSDE will implement a purely multiple choice format for HSAs beginning in May 2009. MSDE estimates that this change, along with the use of a new test provider, will shorten the grading time from nine weeks to three weeks. To address concerns about HSA pass rates and the availability of effective remediation, students will be given the opportunity to take each HSA up to five times per year and students who are having difficulty passing the tests will be provided online remediation tools available on the MSDE web site. In addition, the State board approved a Bridge Plan for Academic Validation option that will allow a student who is unable to pass the HSAs to instead complete a subject-based project to demonstrate subject mastery. This option would only be available to students who have met other graduation requirements and have demonstrated good faith participation in all applicable remediation or academic assistance programs. Finally, the State board altered the minimum score requirement for the HSAs. Previously, a student could qualify for graduation with a qualifying combined score on the four tests as long as a minimum score on each test was achieved. The State

board elected to retain the qualifying combined score option, but with no minimum required scores for individual tests.

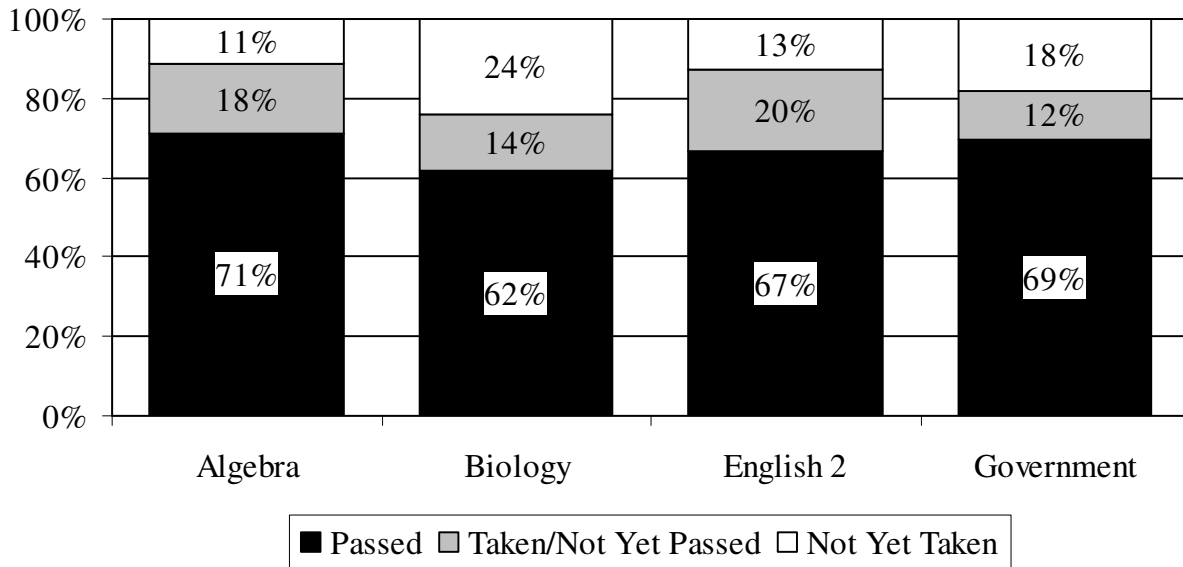
After agreeing to these adjustments to the HSA process, the State board voted 8-4 in October 2007 to retain the HSAs as a graduation requirement. Members of the State board argued that, although the HSAs are not a panacea for deficiencies in Maryland's public schools, they are an important tool in the effort to ensure a consistent and adequate education for all Maryland students. The State board also noted that it hopes HSAs will increase accountability, ensure the value of a Maryland high school diploma, and prepare students for future academic and job-related pursuits.

There are more than 63,500 students in the class of 2009, many of whom have already passed the HSAs; however, there are still students who have yet to take and pass the HSAs. **Exhibit 1** shows, for each of the four HSAs, the percentage of students who have not taken the assessment, the percentage who have taken the assessment but have not passed it, and the percentage of students who have taken and passed the assessment. The exhibit reveals that more than two-thirds of the class of 2009 (more than 42,000 students) have passed the algebra, English 2, and government tests, but slightly less than two-thirds (approximately 39,000 students) have passed the biology assessment. Most of the students who had not taken one or more of the assessments by the end of last year, over 14,500 students, will have the opportunity to do so this year. If they have not passed the assessments, they have opportunities this year and next year to achieve a passing grade or meet the minimum combined score total.

In total, MSDE estimates that 87% of the class of 2009 students who have taken all four HSAs have met the requirements to graduate as of spring 2007. MSDE further projects that, by spring 2009, 95% of the class of 2009 who do not drop out and who need to pass the HSAs in order to graduate (excludes students who will receive special education certificates) will do so by passing all four tests or achieving the required combined score. The remaining 5% are expected to successfully use the Bridge Plan option.

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**Exhibit 1**  
**Percentage of Class of 2009 That Has Taken and Passed High School Assessments**  
**By the End of the 2006-2007 School Year**



Note: Data include approximately 3,900 students who do not need to pass the HSAs in order to graduate.

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

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**State Fiscal Effect:** Even if the HSAs are eliminated as a graduation requirement, the State would still have to administer the English 2, algebra, and biology exams to remain in compliance with the federal No Child Left Behind Act. Therefore, no significant savings would be realized by eliminating the tests as a graduation requirement.

**Small Business Effect:** One of the arguments for requiring the HSAs for high school graduation has been the need to ensure businesses that individuals who have earned Maryland high school diplomas have mastered skills that will enable them to be successful in work environments. If the HSAs are eliminated as a graduation requirement, businesses may have less confidence in the skills of high school graduates and may find that some graduates are not adequately prepared for the workplace.

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**Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 520 (Delegate Walker, *et al.*) – Ways and Means.

**Information Source(s):** Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - March 3, 2008  
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