

## Chapter 477

(House Bill 1227)

AN ACT concerning

### Education – Core Content Areas – Accountability Program

FOR the purpose of requiring the State Board of Education and the State Superintendent of Schools to assist each county board of education to establish certain goals and objectives that conform with certain objectives for subject areas that include science and social studies; requiring each public school to survey current student achievement in science and social studies; requiring the State Board and the State Superintendent to ~~design and~~ implement certain assessment programs in certain subjects and requiring the ~~social studies~~ assessment ~~program~~ programs to provide certain information and feedback; requiring certain grade band assessments and end-of-course assessments to be implemented and administered annually at certain levels by a certain school year; requiring the State Department of Education to conduct a certain statewide survey of public schools and public school teachers; requiring the Department to compile and publish the survey results on the Department's Web site; requiring county boards of education to include certain information in the boards' comprehensive master plans and updates to the plans; ~~defining a certain term;~~ requiring the State Department of Education Board to develop and implement a certain State-specific assessment State-specific assessments by a certain school year if ~~a certain determination is~~ determinations are made regarding ~~a certain middle school grade band and high school level assessment;~~ assessments; requiring the Governor to include a certain appropriation in the fiscal year 2014 State budget bill if a certain amount of funding to administer a certain Maryland high school assessment is not provided in the fiscal year 2013 State budget bill; prohibiting implementation of certain provisions of this Act under certain circumstances; defining a certain term; and generally relating to an education accountability program for certain core content areas.

BY repealing and reenacting, without amendments,  
 Article – Education  
 Section 5-401(a) and (b)(1)  
 Annotated Code of Maryland  
 (2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
 Article – Education  
 Section 5-401(c) and 7-203  
 Annotated Code of Maryland  
 (2008 Replacement Volume and 2011 Supplement)

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

**Article – Education**

5–401.

(a) (1) In this section the following words have the meanings indicated.

(2) “Local performance standards” means standards for student and school performance developed by a county board.

(3) “Plan” means a comprehensive master plan.

(4) “State performance standards” means standards for student and school performance approved by the State Board.

(5) “Update” means an annual update to a county board’s comprehensive master plan.

(b) (1) Each county board shall develop and implement a comprehensive master plan that describes the goals, objectives, and strategies that will be used to improve student achievement and meet State performance standards and local performance standards in each segment of the student population.

(c) The plan or update shall include:

(1) Goals and objectives as required under subsections (d) through (f) of this section that are aligned with State performance standards and local performance standards;

(2) Implementation strategies for meeting goals and objectives;

(3) Methods for measuring progress toward meeting goals and objectives;

(4) Time lines for implementation of the strategies for meeting goals and objectives;

(5) Time lines for meeting goals and objectives;

(6) A description of the alignment of the county board’s budget with goals, objectives, and strategies for improving student achievement;

(7) The impact of the proposed goals, objectives, and implementation strategies on public school facilities and capital improvements that may be needed to implement the plan or update; [and]

**(8) A DESCRIPTION OF HOW THE COUNTY BOARD PLANS TO ENSURE AND MEASURE THE ACADEMIC PROFICIENCY OF STUDENTS IN THE CORE ACADEMIC SUBJECTS LISTED IN § 7-203 OF THIS ARTICLE AT VARIOUS POINTS DURING THE ELEMENTARY AND SECONDARY EDUCATION OF THE STUDENTS; AND**

~~[(8)]~~ **(9)** Any other information required by the State Superintendent.

7-203.

(a) 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.

(b) **(1) IN THIS SUBSECTION, "GRADE BAND ASSESSMENT" MEANS:**

~~**(I) ONE ASSESSMENT OF AN ELEMENTARY SCHOOL STUDENT'S KNOWLEDGE IN A SPECIFIC SUBJECT AREA DURING GRADES 3 THROUGH 5; AND**~~

~~**(II) ONE ONE ASSESSMENT OF A MIDDLE SCHOOL STUDENT'S KNOWLEDGE IN A SPECIFIC CORE ACADEMIC SUBJECT AREA DURING GRADES 6 THROUGH 8.**~~

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

~~[(1)]~~ **(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, [and] mathematics, **SCIENCE, AND SOCIAL STUDIES;**

~~[(2)]~~ **(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 ~~SOCIAL STUDIES~~ 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; ~~AND~~**

**B. INFORM THE PUBLIC ANNUALLY OF THE EDUCATIONAL PROGRESS MADE ~~IN SOCIAL STUDIES~~ 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. BEGINNING IN THE 2014-2015 SCHOOL YEAR, THE FOLLOWING ASSESSMENTS SHALL BE IMPLEMENTED AND ADMINISTERED ANNUALLY:**

**~~A. AT THE ELEMENTARY 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;~~**

**~~B. 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 STATE'S ADOPTED CURRICULA OR THE COMMON CORE CURRICULA~~ COMMON CORE CURRICULA OR THE STATE'S ADOPTED CURRICULA FOR THE CORE CONTENT AREAS OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES; AND**

**~~C. 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 ~~GOVERNMENT CURRICULA~~ CURRICULA FOR THE CORE CONTENT AREAS OF READING, LANGUAGE, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES;~~**

[(3)] (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;

[(4)] (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;

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

[(6)] (VII) A reevaluation of programs, goals, and objectives shall be undertaken regularly.

**(3) (I) AFTER THE 2014–2015 SCHOOL YEAR, THE STATE BOARD SHALL DETERMINE WHETHER THE ASSESSMENTS AT THE MIDDLE SCHOOL AND HIGH SCHOOL LEVELS 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 DEPARTMENT SHALL DEVELOP A STATE–SPECIFIC ASSESSMENT IN THAT CORE CONTENT AREA TO BE IMPLEMENTED IN THE 2016–2017 SCHOOL YEAR.**

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

(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 WEB SITE.**

~~(F)~~ **(F)** The State Superintendent shall send the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly a report each January 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)~~ **(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.

~~SECTION 2. AND BE IT FURTHER ENACTED, That, if after the 2014-2015 school year, the State Board of Education, in consultation with the Maryland Social~~

~~Studies Advisory Council, determines that the middle school grade band assessment does not adequately measure the skills and knowledge set forth in the State's adopted social studies curricula, the State Department of Education shall develop a State specific assessment to be implemented in the 2016-2017 school year.~~

SECTION 2. AND BE IT FURTHER ENACTED, That if funding is not provided in the fiscal year 2013 State budget bill (Chapter 148 (S.B. 150) of the Acts of the General Assembly of 2012) in an amount sufficient to administer the Maryland high school assessment for government to meet the requirements of this Act, the Governor shall include an appropriation in the fiscal year 2014 State budget bill in an amount sufficient to administer the Maryland high school assessment for government to meet the requirements of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That notwithstanding § 7-203(b) of the Education Article, as enacted by Section 1 of this Act, if the State Board of Education has not adopted an assessment to measure the common core curricula before July 30, 2014, then the requirements of § 7-203(b)(2)(iii)3A and (3)(i) for middle school assessments, as enacted by Section 1 of this Act, may not be implemented until the first day of school in the school year that follows the adoption of an assessment to measure the common core curricula by the State Board.

SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2012.

**Approved by the Governor, May 22, 2012.**