

SENATE BILL 497

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CF 5lr1712

By: **Senators Pinsky, Astle, Benson, Brochin, Conway, Currie, Eckardt, Edwards, Feldman, Guzzone, Jennings, Kagan, King, Klausmeier, Lee, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Nathan-Pulliam, Peters, Pugh, Ramirez, Raskin, Reilly, Rosapepe, Waugh, and Young**

Introduced and read first time: February 6, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Commission to Review Maryland's Use of Assessments and Testing in Public**
3 **Schools**

4 FOR the purpose of establishing the Commission to Review Maryland's Use of Assessments
5 and Testing in Public Schools; providing for the composition, chair, and staffing of
6 the Commission; prohibiting a member of the Commission from receiving certain
7 compensation, but authorizing the reimbursement of certain expenses; requiring the
8 Commission to survey, assess, review, and make recommendations regarding certain
9 matters; requiring the Commission to report its findings and recommendations to
10 the State Board of Education and certain county boards of education on or before a
11 certain date; requiring the State Board and certain county boards to review and
12 consider the Commission's findings and make certain comments or recommendations
13 on or before a certain date; providing for the termination of this Act; and generally
14 relating to the Commission to Review Maryland's Use of Assessments and Testing
15 in Public Schools.

16 Preamble

17 WHEREAS, Maryland has been recognized nationally for its leadership in education;
18 and

19 WHEREAS, It is of crucial importance to assess children so that local school systems
20 and states can gain formative information on student achievement levels and how students
21 compare to other students locally, statewide, and nationwide; and

22 WHEREAS, Because of Maryland's nationally recognized success in education, we
23 can play an integral part in both the State's and the nation's efforts in developing greater

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 efficiency and efficacy around administering local, State, and federally mandated
2 assessments; and

3 WHEREAS, While assessing children is necessary to continue to make educational
4 gains, there is a need to examine the interplay between and the possible duplication of local,
5 State, and federally mandated assessments; and

6 WHEREAS, All assessments administered to children should have instructional
7 value and a stated purpose; now, therefore,

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
9 That:

10 (a) (1) In this section, “assessment” means a local, State, or federally
11 mandated test that is intended to measure a student’s academic readiness, learning
12 progress, and skill acquisition.

13 (2) “Assessment” does not include a teacher–developed quiz or test.

14 (b) There is a Commission to Review Maryland’s Use of Assessments and Testing
15 in Public Schools.

16 (c) The Commission consists of the following members:

17 (1) two members of the Senate of Maryland, appointed by the President of
18 the Senate;

19 (2) two members of the House of Delegates, appointed by the Speaker of
20 the House;

21 (3) the State Superintendent of Schools, or the Superintendent’s designee;

22 (4) the Governor, or the Governor’s designee;

23 (5) one member of the State Board of Education, appointed by the
24 President of the State Board; and

25 (6) the following members, appointed by the Governor:

26 (i) one representative of the Maryland State Education Association;

27 (ii) one representative of the Baltimore Teachers Union;

28 (iii) one representative of a local education association;

29 (iv) one county school board member;

1 (v) two county superintendents, at least one of whom is from a local
2 school system with over 120,000 students;

3 (vi) one principal of a public school;

4 (vii) one National Board Certified teacher who teaches in the State;

5 (viii) two parents of children who attend a public school in the State
6 who:

7 1. are active in the local school system; and

8 2. have a background in education policy; and

9 (ix) two nationally recognized education experts in the field of
10 student assessment, at least one of whom specializes in duplicative testing.

11 (d) The Governor shall designate the chair of the Commission.

12 (e) The State Department of Education shall provide staff for the Commission.

13 (f) A member of the Commission:

14 (1) may not receive compensation as a member of the Commission; but

15 (2) is entitled to reimbursement for expenses under the Standard State
16 Travel Regulations, as provided in the State budget.

17 (g) The Commission shall:

18 (1) survey and assess how much time is spent in each grade and in each
19 local school system on administering local, State, and federally mandated assessments;

20 (2) review the purpose of all local, State, and federally mandated
21 assessments administered by local school systems, whether summative or formative, and
22 determine whether some assessments are duplicative or otherwise unnecessary;

23 (3) review and analyze the local school systems' and the Department's
24 interests in requiring assessments and attempt to develop a statewide approach to
25 administering assessments;

26 (4) determine whether the current local and State schedules for
27 administering assessments allots enough time between administering a formative
28 assessment and receiving the results of the formative assessment to meaningfully inform
29 instruction;

1 (5) survey and assess if the testing windows implemented by the local
2 school systems and the State have any negative ancillary effects on instruction, materials
3 and equipment use, and school calendars;

4 (6) consider the implications for the State if changes were to be made to
5 the Elementary and Secondary Education Act that would allow for more flexibility in
6 administering assessments;

7 (7) make recommendations on:

8 (i) how local school systems and the State can improve the process
9 in which local, State, and federally mandated assessments are administered and used to
10 inform instruction;

11 (ii) if the Commission finds that the allotted time for administering
12 assessments is resulting in reduced instruction time, the most efficient and effective
13 methods to ensure that adequate time is allotted to both administering assessments and
14 instruction; and

15 (iii) any other relevant issue identified by the Commission; and

16 (8) ensure that any recommendation retains the ability to compare student
17 achievement across local school systems, the State, and the nation.

18 (h) (1) On or before April 1, 2016, the Commission shall report its findings and
19 recommendations to the State Board of Education and each county board of education.

20 (2) On or before June 1, 2016, the State Board and each county board of
21 education shall:

22 (i) review and consider the Commission's findings and
23 recommendations; and

24 (ii) make comments and recommendations related to whether they
25 accept or reject the Commission's findings and recommendations to the General Assembly
26 in accordance with § 2-1246 of the State Government Article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
28 1, 2015. It shall remain effective for a period of 3 years and, at the end of May 31, 2018,
29 with no further action required by the General Assembly, this Act shall be abrogated and
30 of no further force and effect.