

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 617
Ways and Means

(Delegate Ebersole, *et al.*)

Education, Health, and Environmental Affairs

Education - Assessments - Administration by Public School Employees

This bill authorizes the principal of a public school to select *any* employee to administer an assessment unless a multistate assessment consortium in which the State participates requires certificated education professionals to administer the assessment. Before the assessment is administered, the local superintendent must review and approve the principal's selection. **The bill takes effect July 1, 2018.**

Fiscal Summary

State Effect: None. The bill has no impact on State operations or finances due to the bill's provision that excludes specified multistate assessments from the principal's authority to select test administrators.

Local Effect: Local school system expenditures may decrease minimally, as explained below.

Small Business Effect: None.

Analysis

Current Law: "Assessment" is defined as a locally, State, or federally mandated test that is intended to measure a student's academic readiness, learning progress, and skill acquisition. "Assessment" does not include a teacher-developed quiz or test.

Background: According to the Maryland State Department of Education (MSDE) testing policy, which is overseen by the State Board of Education, school test coordinators (STCs) and test administrators (TAs) must be certificated education professionals. School-based

administrators, including principals, have the autonomy to select STCs from the pool of qualified individuals. STCs then, in turn, select qualified individuals as TAs to administer State assessments.

Qualified certificated education professionals include: (1) State-certified academic classroom teachers; (2) other State-certified teachers who teach in special education, gifted and talented, and English learner programs; (3) State-certified teachers in physical education, health, dance, art, family and consumer sciences, industrial arts, and technology education; and (4) State-certified guidance counselors, library media specialists, school psychologists, pupil personnel workers, and school administrators (other than the principal).

According to MSDE testing policy, school principals cannot serve as the STC without a waiver approved by MSDE. School principals may serve as TAs. Proctors do not need to be certified education professionals. Proctors may administer accommodations for individuals with disabilities, provided they receive training prior to administration and are under the supervision of the TA during testing. Any personnel involved in the administration of a test must be trained by the STC and sign a Test Administration and Certification of Training Form and Non-Disclosure Agreement.

Multistate Assessments

To benefit from the economy of scale, Maryland participates in state assessment consortiums, including the Partnership for Assessment of Readiness for College and Careers (PARCC) and the Multi-State Alternative Assessment. As detailed in the [training manuals](#), PARCC sets rules about who may serve as a test administrator. For a state to participate in PARCC, the state education agency must agree to follow testing procedures, including requirements regarding who may serve as a TA. As of 2017, eight states participate in PARCC.

In general, the following individuals may serve as a TA for PARCC assessments: (1) individuals employed by the local school system as teachers; (2) local school system and school-level administrators; and (3) other certified educational professionals. Parents or legal guardians may *not* serve as a test administrator for their own child, unless otherwise specified by the State. In addition, student teachers may *not* serve as a TA in charge of administering the PARCC assessment.

In addition, MSDE follows testing protocols set by national testing services such as the College Board. The College Board operates the Advance Placement assessments and the Scholastic Aptitude Test.

State Assessments

MSDE sets requirements for certain State-specific tests such as the Kindergarten Readiness Assessment (KRA). For example, MSDE requires that the KRA be administered by TAs who are employees of the school district and hold a license, certificate, or permit issued by MSDE. Teachers must receive training on the KRA and take the content and simulator assessments, receiving a score of at least 80% on each one. Teachers who complete training during the first year of administration do not need to complete the training again. Instead, these teachers will complete a brief online refresher training prior to administering the KRA. In addition to general education kindergarten teachers, specialized educators, English learner teachers, and other certified teachers that have met all the requirements of training are eligible to administer the KRA. Such fully trained teachers may assist in administering the KRA.

The following individuals are specifically not allowed to serve as KRA TAs: students, student teachers, classroom assistants, or parents. A long-term substitute teacher may serve as a KRA administrator if the school system defines substitute teachers as employees. However, any teacher who will assess children by using the KRA must participate in the required MSDE training.

Local Expenditures: To the extent that the bill impacts which currently ineligible employees may be chosen to administer State developed assessments (such as the KRA), local school systems may have greater flexibility in choosing who administers assessments. Thus, local school system expenditures may decrease minimally due to needing fewer certificated employees to administer the KRA and similar assessments; however, any such impact cannot be reliably estimated at this time. In addition, any decrease will depend on local choices. It is assumed that local superintendents can review and approve their principals' selections using existing resources. Superintendents in large districts may require principals to submit a standard form to streamline the approval process.

Additional Information

Prior Introductions: None.

Cross File: SB 562 (Senator Zucker) - Education, Health, and Environmental Affairs.

Information Source(s): Anne Arundel and Montgomery counties; Maryland State Department of Education; Department of Legislative Services

Fiscal Note History: First Reader - February 13, 2018
mm/rhh Third Reader - March 30, 2018
Revised - Amendment(s) - March 30, 2018

Analysis by: Caroline L. Boice

Direct Inquiries to:
(410) 946-5510
(301) 970-5510