

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 1277  
(Delegate Belcastro)  
Ways and Means

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**State Department of Education - Assessments - Study and Report**

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This bill requires the Maryland State Department of Education (MSDE) to perform a thorough study, analysis, and evaluation of assessments administered by collecting data from each local board of education's District Committee on Assessments, as specified. In addition, MSDE must collect information on (1) how assessments are evaluated for cultural bias; (2) the impact of administering assessments in a single longer period compared to multiple shorter periods; and (3) scheduling approaches that yield minimal assessment time and maximum instruction time. By January 1, 2023, MSDE must report the results of its findings and recommendations to the Governor and General Assembly. **The bill takes effect July 1, 2022.**

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**Fiscal Summary**

**State Effect:** MSDE can complete the required study using existing resources. MSDE advises that its Office of Research and the Office of Accountability and Performance Reporting is currently conducting research similar to what is required by the bill.

**Local Effect:** Local school systems can provide data using existing resources. Revenues are not affected.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The analysis period for the required study is school years 2017-2018 through 2021-2022. MSDE must analyze specified data including the average amount of time, within each grade and by subject matter, spent on assessments.

The report must include (1) recommendations on best practices for assessments and (2) an analysis of whether the approach to developing a culturally unbiased kindergarten readiness assessment could be expanded to other assessments.

**Current Law:**

*Assessment Time Limits*

By December 1 of every odd-numbered year, local boards of education and exclusive employee representatives must meet and confer regarding school assessments. They must mutually agree to an amount of time that may be devoted to federal, State, and locally mandated assessments for each grade. If the parties fail to mutually agree, the time that may be devoted to specified assessments must be limited to 2.2% of the minimum required annual instructional hours for every grade except for eighth grade, which must be limited to 2.3%.

“Assessment” is defined as a federal, State, or locally mandated test that is intended to measure a student’s academic readiness, learning progress, and skills acquisition. It does not include a teacher-developed quiz or test, or a sampling test that is not administered to all students.

A student who participates in an advanced placement or international baccalaureate program or who takes the Scholastic Aptitude Test, if administered during the regular school day, is not subject to the aggregate testing limit. Time devoted to teacher-selected classroom quizzes, exams, portfolio reviews, or performance assessments may not be counted toward the testing limit agreed to by specified parties.

By August 1 of every odd-numbered year, a local board of education and the exclusive employee representative for teachers for that local school system must meet and confer regarding (1) a rubric for evaluating local assessments; (2) the time required to administer each local assessment; and (3) the purpose of each local assessment.

By January 1 of every even-numbered year, each local board of education must establish a District Committee on Assessments that includes administrators, parents, and teachers selected by the exclusive bargaining unit to advise and make recommendations in the following areas: (1) the time required to administer each assessment; (2) the duplicativeness of assessments; (3) the purpose of assessments; (4) the value of feedback provided to educators; and (5) the timeliness of results. By June 1, 2019, and each June 1 thereafter in an odd-numbered year, the District Committee on Assessments must submit the committee’s recommendations to the local board of education and exclusive employee representative for teachers for that local school system.

### *Federal Assessment Requirements*

The federal Every Student Succeeds Act (ESSA) is the most recent reauthorization of the federal Elementary and Secondary Education Act. It requires annual assessments of *all* students in grades 3 through 8 and at least once in high school in reading/language arts and mathematics; the law also requires students to be tested in science at least once in grades 3 through 5, 6 through 8, and 9 through 12. Maryland uses the Maryland Comprehensive Assessment Program (MCAP) to meet the ESSA requirements.

### *General Program of Assessments*

Among other things, Chapters 476 and 477 of 2012 required the State Board of Education and the State Superintendent of Schools to implement assessment programs in reading, language, mathematics, science, and social studies that include written responses.

At the high school level, there must be 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 curricula for the core content areas of reading, language, mathematics, science, and social studies.

### *College and Career Readiness Assessments*

Beginning with the 2021-2022 school year, each student must be assessed no later than the 10th grade by a method adopted by the State Board to determine whether the student meets the College and Career Readiness (CCR) standard.

Meeting the CCR standard must initially require a student to achieve the equivalent of a score of 4 or 5 in the mathematics and English portions of the Partnership for Assessment of Readiness for College and Career grade 10 assessments or MCAP grade 10 assessments or any successor assessments. After a mandated empirical study is complete, the CCR standard must reflect the results of that study.

### *Kindergarten Readiness Assessment*

Beginning in the 2022-2023 school year, a racially and culturally unbiased statewide kindergarten assessment that is administered with the purpose of measuring school readiness to be used for diagnostic purposes, curriculum development, and early detection of learning challenges must be given to all incoming kindergarten students in the State.

## **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland State Department of Education; Baltimore City Public Schools; Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2022

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