

Department of Legislative Services
 Maryland General Assembly
 2019 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1019 (Delegates Guyton and Luedtke)
 Ways and Means

State Board of Education - Public High School Students - Assessments and
 Graduation Requirements

This bill restricts, during the 2019-2020 school year, the administration of *an assessment of college and career readiness* (CCR) to a *representative sample* of public high school students. During the 2020-2021 school year, the State board must administer the CCR assessment to *all* public high school students. In addition, during the 2019-2020 and 2020-2021 school years, the State Board of Education is prohibited from using the CCR assessment to evaluate a student in any way for graduation from high school. **The bill takes effect July 1, 2019, and terminates June 30, 2021.**

Fiscal Summary

State Effect: *Under one set of assumptions*, general fund expenditures increase by an estimated \$645,000 in FY 2020 and by an estimated \$16.5 million in FY 2021, as explained below.

(in dollars)	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	645,000	16,472,000	0	0	0
Net Effect	(\$645,000)	(\$16,472,000)	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: *Under one set of assumptions*, local school system expenditures decrease in FY 2020 and 2021, as explained below.

Small Business Effect: None.

Analysis

Current Law:

Federal Assessment Requirements

The federal Every Student Succeeds Act (ESSA) is the most recent reauthorization of the 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 is in the process of transitioning from the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment to the Maryland Comprehensive Assessment Program (MCAP) to meet the ESSA requirements. The Maryland State Department of Education (MSDE) reports that MCAPs will be fully implemented by 2020. During this transition period, MSDE has already begun to refer to Maryland's assessment program as MCAP. The high school assessments, which are part of MCAPs, are also referred to as the Maryland High School Assessments (MHSAs) and include assessments in English, mathematics, science, and social studies.

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. These assessments are sometimes called MHSAs.

High School Graduation Assessment Requirements

With the advice of the State Superintendent of Schools, the State Board of Education establishes basic policy and guidelines for the program of instruction for public schools. Subject to State law and the regulations, bylaws, policies, and guidelines established by the State Board of Education, each local board of education must establish the curriculum guides and courses of study for schools in its jurisdiction. 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.

Maryland high school graduation assessment requirements are not contained in statute. According to State board regulations, to be awarded a Maryland high school diploma, a student must meet the graduation assessment requirements. A student may meet the graduation assessment requirements in the following ways:

- by taking and passing the MHSAs in English 10, Algebra I, science, and government;
- by taking and passing approved alternative assessments for the MHSAs;
- by successfully completing the Bridge Plan for Academic Validation; or
- through a waiver of the MHSA graduation requirement in certain circumstances.

The options available to a student and the cut scores required depend on when the student first entered grade 9 and which year the student first took the assessment. The most recently updated requirements can be found in [Graduation Requirements for Public High Schools in Maryland](#) published March 2018. According to current MSDE guidelines, as shown in **Exhibit 1**, a student who is a first-time ninth grader in 2019-2020 will need to earn a 725 on both the English 10 and Algebra 1 assessments to meet the “passing score” graduation requirement. Alternatively, the passing score graduation requirement can be met using specified Advanced Placement or International Baccalaureate exams.

Exhibit 1
Passing Scores for English 10 and Algebra 1
High School Graduation Requirements

<u>Assessment/ School Year</u>	<u>English 10 Cut Score</u>	<u>Algebra 1 Cut Score</u>
2016-2017 2017-2018	Graduating 2016-2017 or 2017-2018: participation only	Graduating 2016-2017 or 2017-2018: participation only
2018-2019 2019-2020	First time ninth grader 2019-2020 and earlier: 725	First time ninth grader 2019-2020 and earlier: 725
2020-2021 and later	First time ninth grader 2020-2021 and later: 750	First time ninth grader 2020-2021 and later: 750

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

College and Career Readiness Assessments

The College and Career Readiness and College Completion Act of 2013 (Senate Bill 740) required:

- beginning with the 2015-2016 school year, no later than grade 11, all students must be assessed for college readiness in English language arts/literacy, and mathematics using acceptable college placement cut scores; and
- beginning with the 2016-2017 school year, MSDE must, in collaboration with local school systems and public community colleges, develop and implement transition courses or other instructional opportunities to be delivered in grade 12 to students who have not yet achieved college and career readiness by the end of grade 11.

The implementation of transition courses or other instructional opportunities must include an assessment or reassessment of the student after completion of the course and may not preclude or replace enrollment in a course otherwise required for graduation from high school.

It is the goal of the State that all students achieve mathematics competency in Algebra II. Beginning with the grade 9 class of 2014, each student must enroll in a mathematics course in each year of high school that the student attends. MSDE must adopt regulations that establish the mathematics and math-related courses that fulfill these requirements, which may include math-related career and technology courses.

A transitional mathematics course or other instructional opportunities required to be delivered to grade 12 students who have not achieved college and career readiness by the end of grade 11 may only count toward the requirement that each student enroll in a mathematics course in each year of high school if the student has completed all credit-bearing mathematics courses required for graduation (*e.g.*, Algebra, Geometry).

Background: State law requires all students to be assessed no later than eleventh grade to determine if the student is ready for college-level, credit-bearing course work in English Language Arts, literacy, and mathematics; however, there is no single CCR assessment that is required to meet this requirement. MSDE publishes an annual report with the methods a student may choose to meet the requirement. According to a report revised in December 2018 entitled [*Tool Kit to Determine Students' College and Career Ready Designation under the College and Career Readiness and College Completion Act of 2013*](#), for the 2018-2019 school year students may meet the requirement by receiving set cut scores on one of several standardized assessments as shown in **Exhibits 2 and 3**. In addition, a student may meet the requirement by enrolling in a college-level, credit-bearing college course, through special local agreements with community colleges, and a verified cumulative unweighted high school grade point average of 3.0 or better. A career and

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technical education student may also meet the requirement by getting a specified score on one of many technical skills assessments.

The CCR assessments are different from both the ESSA requirement *and* the high school graduation requirements related to assessment. There is confusion related to these assessments because in some cases the same assessment may be used to meet multiple assessment requirements. For example, a tenth-grade student who takes the English 10 MCAP (aka PARCC) during the 2020-2021 school year and receives a score of 750 or greater will have met all three English testing requirements with one assessment.

Exhibit 2
College and Career Readiness Assessments
English Language Arts
2018-2019

Assessment	Score
SAT <ul style="list-style-type: none"> ● Evidence-based Reading and Writing Section 	480+
ACT <ul style="list-style-type: none"> ● Average of English and Reading Subject Tests 	21+
Accuplacer <ul style="list-style-type: none"> ● Reading ● Writing ● Sentence Skills 	<ul style="list-style-type: none"> ● Reading 79+ ● Writing 6+ ● Sentence Skills 90+ Next Generation Accuplacer (Scores TBD)
AP <ul style="list-style-type: none"> ● English Language and Composition ● English Literature and Composition 	3+
IB <ul style="list-style-type: none"> ● Language A ● Literature SL and HL 	4+
Maryland Comprehensive Assessment Program <ul style="list-style-type: none"> ● English 10 ● English 11 	Level 4+

AP: Advanced Placement
 HL: higher level
 IB: International Baccalaureate
 SL: standard level
 TBD: to be determined

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

Exhibit 3
College and Career Readiness Assessments
Mathematics
2018-2019

Assessment	Score
SAT <ul style="list-style-type: none"> • Mathematics Section 	530+
ACT <ul style="list-style-type: none"> • Math Subject Test 	21+
Accuplacer <ul style="list-style-type: none"> • College Level Mathematics 	45+ Next Generation Accuplacer (Score TBD)
AP <ul style="list-style-type: none"> • AB Calculus • BC Calculus • Statistics 	3+
IB <ul style="list-style-type: none"> • Mathematics SL • Mathematics HL • Further mathematics 	4+
Maryland Comprehensive Assessment Program <ul style="list-style-type: none"> • Algebra II • Geometry 	Level 4+

AP: Advanced Placement
 HL: higher level
 IB: International Baccalaureate
 SL: standard level
 TBD: to be determined

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

State Fiscal Effect: *Under one set of assumptions, general fund expenditures increase by an estimated \$645,000 in fiscal 2020 and by an estimated \$16.5 million in fiscal 2021. This estimate incorporates the following information and assumptions.*

It is assumed that the requirements related to the CCR assessment in the bill do not apply to an assessment given to meet ESSA requirements or the State board high school graduation requirements. As explained above, the same assessment (such as the English 10 PARCC assessment) may be used to meet several assessment requirements. If the bill is
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interpreted to restrict the administration of assessments intended to comply with ESSA, then the receipt of *hundreds of millions* of federal education funds will be jeopardized.

Under current practice, for students who choose to meet the CCR assessments by taking one of the MCAP assessments shown in Exhibits 2 and 3, the State administers and pays for the assessment. Otherwise, local school systems are responsible for the cost, although in some cases students may pay for their assessments. Under the bill the State board must administer the assessment and, thus, the State must pay for the assessments. If MSDE were to develop a dedicated CCR assessment, general fund expenditures would increase by \$3.5 million in fiscal 2020, with additional costs in fiscal 2021 to administer the assessment. However, it is unlikely that a new assessment could be developed in the timeline required by the bill (spring 2019).

Therefore, this estimate assumes that the State board administers one of the CCR assessments currently available to the local school systems. It is assumed that the State board chooses the SAT because it is currently one of the less expensive options to meet the CCR assessment requirement. The SAT costs \$64.50 for the 2018-2019 school year, and is assumed that the price remains the same. Thus, general fund expenditures increase by an estimated \$645,000 in fiscal 2020 to administer the SAT to a representative sample of 100,000 high school students.

For the 2020-2021 school year (fiscal 2021) the State board must administer the CCR assessment to *all* high school students. During the 2017-2018 school year there were 255,380 public high school students in the State. Therefore, general fund expenditures increase by an estimated \$16.5 million. It should be noted that this is assessing significantly more students than assessing all students no later than grade 11, which is what is required under current law. To the extent that different decisions are made by the State board, expenditures may increase further and revenues may decrease in fiscal 2020 or 20201.

Prohibiting the CCR assessment from being a graduation requirement has no fiscal impact because the assessment is not currently a graduation requirement.

Local Fiscal Effect: *Under one set of assumptions*, local school system expenditures decrease in fiscal 2020 and 2021 due to not paying for students' CCR assessments, as explained above. However, any such decrease cannot be reliably estimated.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education; Baltimore County Public Schools; Anne Arundel County Public Schools; St. Mary's County Public Schools; College Board; Department of Legislative Services

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