

BILL: House Bill 1019
TITLE: State Board of Education - Public High School Students -
Assessments and Graduation Requirements
DATE: February 28, 2019
POSITION: SUPPORT WITH AMENDMENTS
COMMITTEE: Ways and Means Committee
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The Maryland Association of Boards of Education (MABE) supports House Bill 1019 with amendments to ensure that the federally mandated statewide assessments in English/Language Arts and mathematics are administered annually to all students, but also establishing a clear pause in any high school graduation eligibility being tied to cut scores on these assessments until they have been administered for at least two school years.

MABE's position is that, beginning with the 2019-2020 school year, the State Board should not require that any student achieve a passing score on one or more of the Maryland High School Assessments until the brand new tests have been administered to all students in the 2019-2020 and 2020-2021 school years. These years of universal, statewide test administration should provide the data on test reliability and validity to allow policy makers to proceed to decide whether they are appropriate for use as high stakes graduation requirements.

There is certainly precedent for taking just such a pause in the State's high stakes testing regimen. In October of 2014, the State Board agreed to institute a two-year delay in administering the PARCC assessments in English and Algebra as "high stakes" graduation requirements due to the need to transition from the former assessments to the PARCC assessments. These regulations were adopted by the State Board on May 19, 2015 (COMAR 13A.03.02.06 and.02).

Importantly, there is no legal impediment to not treating these State assessments as graduation requirements based on a cut score. There is no federal Elementary and Secondary Education Act (ESEA) imposing such a requirement, under either the prior No Child Left Behind Act, of the current Every Student Succeeds Act. What is mandated is the administration of a uniform set of assessments to all students in the required grades.

This bill is consistent with the State's experience with testing transitions in the recent past that have required that students need only take, but not pass, a particular State assessment. The "take only" requirements were instituted for English 10 and Algebra I during the 2014-2015 and 2015-2016 school years to account for the years of transition to the Maryland College and Career Ready Standards, and in order to give students the three times needed to learn and to pass assessments based on the new standards. Likewise, the "take only" requirement was instituted for science during 2016-17, 2017-18, and 2018-19 school years during the transition from the Biology HSA to the Maryland Integrated Science Assessment (MISA). Thus, for some years and some assessments, students have been required to take, but not pass, State assessments.

For these reasons, MABE requests a favorable report on House Bill 1019, with the amendments described above.