



# CONTINUING RESOLUTIONS 2023-2024

## **Curriculum and Assessments**

(Adopted 2013; amended 2014, 2016, 2017, 2018, 2019, 2020, 2021, 2022)

WHEREAS, in creating the State Board and local boards of education the General Assembly has delegated the responsibility for the development of curriculum and student assessments; and

WHEREAS, the State Board establishes state standards and graduation requirements; and local boards implement locally developed curriculum to ensure that standards are met and students are prepared to meet graduation requirements; and

WHEREAS, the General Assembly has considered and at times enacted legislation usurping State Board and local board authority by mandating public school curriculum and student assessments; and

WHEREAS, the State Board adopted the Visionary Panel for Better Schools report in 2002, including the development of a voluntary statewide curriculum, with which local curriculum must be aligned; and in 2009 the State Board amended its regulations to clarify that the requirement to align local curriculum with the state curriculum was no longer voluntary; and

WHEREAS, notwithstanding established local board authority over curriculum and assessments, the federal No Child Left Behind Act (NCLB) of 2001 mandated an array of new student assessments and curriculum reforms, requiring the investment of significant state and local government resources; and

WHEREAS, Maryland complied with NCLB by adopting the Maryland School Assessments (MSAs) in reading, mathematics, and science in grades 3 through 8, and grade 10; and adopting the High School Assessments (HSAs) in English 10, Algebra 1, and Biology which serve as the NCLB mandated accountability tests at the high school level; and

WHEREAS, the State Board adopted regulations in 2004 to tie graduation and receipt of the Maryland High School Diploma beginning in 2009 to passage of four High School Assessments (HSAs) in Algebra/Data Analysis, English 10, Government, and Biology; and

WHEREAS, in 2008 the State Board approved the Bridge Plan for Academic Validation which allows students not passing one or more HSAs to complete projects for credit toward the minimum score required to receive a diploma; and

WHEREAS, in 2011 the Government HSA was abolished as a cost saving measure; and was restored by legislation enacted in 2012 which also mandated a middle school assessment in social studies; and

WHEREAS, MSDE adopted Maryland College and Career Ready Standards, curricular framework, and uniform state assessments developed in conjunction with the Partnership for Assessment of Readiness for College and Careers (PARCC); and WHEREAS, legislation was enacted in 2013 mandating that all high school juniors be given assessments to demonstrate college and career readiness; and mandating new transitional courses for students not passing these assessments; and

WHEREAS, in 2014 legislation was enacted to require MSDE to develop a plan to transfer from the Maryland High School Assessments in English and Algebra/Data Analysis to the comparable PARCC assessments as a graduation requirement; and

WHEREAS, in 2015 the legislature formed the Commission to Review Maryland's Use of Assessments and Testing in Public Schools to assess the state's use of and approach to mandated assessments and testing; and

WHEREAS, the Commission did not adopt a recommendation to establish a statutory cap on the amount of instructional time allotted for student assessments; and

WHEREAS, in December 2015 Congress reauthorized the Elementary and Secondary Education Act (ESEA) as the Every Student Succeeds Act (ESSA); and ESSA maintains grade level assessment requirements but eliminates many of the mandated accountability requirements and sanctions tied to assessment results; and

WHEREAS, in 2016 legislation was enacted to require local boards to publish, by October 15 of each year, information for each assessment administered, including: the title and purpose of the assessment; whether the assessment is mandated by a local, state, or federal entity; the grade level or subject area; the testing window; and the accommodations available for students with special needs; and

WHEREAS, in 2016 the State Board adopted regulations establishing an incremental increase in passing scores required for graduation on the PARCC Algebra 1 and PARCC English 10 Maryland High School Assessments beginning in the 2016-2017 school year and phased-in through the 2019-2020 school year; and

WHEREAS, the Maryland High School Assessment in Biology was last administered as a high school graduation requirement in the 2015-2016 school year; and in 2016-2017 the transition began to administer the Maryland Integrated Science Assessment (MISA), which is aligned with the Next Generation Science Standards, and intended to be phased-in as a score-based graduation requirement; and

WHEREAS, in 2016 legislation was enacted to limit the state administration of the Kindergarten Readiness Assessment (KRA) to a representative sample of students; and require that the assessment is completed by October 1 of each year; 2017 legislation extended the deadline to October 10; and

WHEREAS, in 2017 legislation was enacted to restrict school systems to administer the Early Learning Assessment (ELA) under the condition that: “Before administering the early learning assessment, a county board shall consult with prekindergarten teachers, including teachers nominated by the exclusive bargaining representative, in determining how to implement the assessment;” and

WHEREAS, in 2017 legislation was enacted to establish the following procedures regarding student assessments:

- Require, in odd numbered years, local boards of education and exclusive employee representatives to meet and confer regarding school assessments and, by December 1, 2017, and every two years thereafter, mutually agree to a limited amount of time that may be devoted to federal, state, and locally mandated assessments for each grade;
- Provide that if the parties fail to mutually agree, the time that may be devoted to all assessments must be limited to 2.2 percent of the minimum required annual instructional hours for every grade except for eighth grade, which must be limited to 2.3 percent;
- Allow local boards of education and exclusive employee representatives to mutually agree to amounts of time devoted to assessments that exceed the 2.2 and 2.3 percent thresholds; and
- Require, in even numbered years, school systems to convene District Committees on Assessments comprised of teachers selected by the exclusive bargaining unit and parents and guardians, to advise and make recommendations on the time required to administer each assessment, purpose, timeliness of results; and

WHEREAS, state officials determined that the 2018-2019 school year would be the last year for the administration of the PARCC assessments, and developed and administered revised state assessments through the Maryland Comprehensive Assessment Program (MCAP), beginning in the 2019-2020 school year; and

WHEREAS, Maryland’s state plan for compliance with the federal Every Student Succeeds Act (ESSA) features a school, school system, and statewide accountability system based on student performance levels on the uniform statewide assessments; and

WHEREAS, in 2018 MABE urged the State Board to pause in implementing high stakes graduation requirements based on minimum cut scores on any statewide assessments until the new statewide assessments in reading/language arts and mathematics were field tested and subsequently administered for multiple years; and

WHEREAS, in 2019 legislation passed with MABE’s support to prohibit state assessments from being used as high stakes graduation requirements based on minimum cut scores until the new statewide assessments were field tested for one school year; and

WHEREAS, in 2020 and 2021, in response to the COVID-19 pandemic and resulting school closures and state and local continuity of learning and education recovery plans, the State Board approved numerous waivers of timelines and other laws and regulations regarding

state assessments and graduation requirements, locally adopted graduation requirements, and other areas; and

WHEREAS, in 2021 the U.S. Department of Education provided a waiver from administering federally mandated assessments for accountability purposes, and approved Maryland's request to defer assessments for diagnostic purposes until the fall of 2021; and

WHEREAS, in 2021 the State Board adopted regulations based on the recommendations of the High School Graduation Task Force to:

- Increase the number of credits required for graduation from 21 to 22;
- Increase in the number of credits in mathematics from three to four;
- Increase in the number of credits in health from one-half to one; and
- Modify the graduation requirement that students must pass assessments in Algebra, English, Science, and Government from a stand-alone assessment to an end-of-course assessment to count for 20 percent of the student's course grade; and

WHEREAS, the Blueprint for Maryland's Future Act of 2021 requires MSDE to develop curriculum standards and curriculum resources in core subjects, including course syllabi, sample lessons, and examples of student work that meet standards, for each subject at each grade level, that build on one another in logical sequence and that may be used by local school systems and public school teachers; and

WHEREAS, harassment and violence against many marginalized groups including but not limited to Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs), African Americans, Latino Americans, Native Americans, LGBTQ+ persons, and persons with disabilities has a long history in the United States. The struggles and triumphs of these groups include past and current xenophobia, the invisibility of their contributions to the United States, and a narrow understanding of the diversity and complexity within these groups; and

WHEREAS, the State Content Standards and Framework for Grade 6-8 Social Studies are designed so that each "student will understand the diversity and commonality, human interdependence, and global cooperation of the people of Maryland, the United States, and the World through a multicultural and a historic perspective;"

NOW, THEREFORE, BE IT RESOLVED, that MABE supports local decision-making authority in developing curriculum and assessments, in conjunction with the State Board of Education, as these entities are charged with the responsibility to research, investigate, and evaluate curriculum and assessments, and are ultimately accountable for student performance; and

BE IT FURTHER RESOLVED, that MABE supports the state's adoption, administration, and funding of federally required statewide reading/language arts, mathematics, and science assessments; and supports the continued administration of the statewide high school assessment in government; and

BE IT FURTHER RESOLVED, that MABE supports the exercise of local board authority to ensure that local curriculum and instruction reflect the diversity, commonality, and right to be free from harassment and violence of all persons, including but not limited to Asian Americans, Native Hawaiians, and Pacific Islanders (AANHPIs), African Americans, Latino Americans, Native Americans, LGBTQ+ persons, and persons with disabilities; and

BE IT FURTHER RESOLVED, that MABE opposes efforts by the General Assembly or federal government to usurp local board authority over public school curriculum or student assessments.