

HOUSE BILL 1119

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By: **Delegates Stukes, Anderson, Conaway, Glenn, Haynes, Kirk, Krysiak, McHale, McIntosh, Oaks, Robinson, and Rosenberg**

Introduced and read first time: February 16, 2007

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on the Policy and Funding Implications of the High School**
3 **Assessment as a Graduation Requirement**

4 FOR the purpose of establishing a Task Force on the Policy and Funding Implications
5 of the High School Assessment as a Graduation Requirement; providing for the
6 membership, duties, and staffing of the Task Force; providing for the
7 designation of the cochairs of the Task Force; requiring the Task Force to
8 submit a report by a certain date; prohibiting a member of the Task Force from
9 receiving compensation; authorizing a member of the Task Force to receive
10 certain reimbursements; providing for the termination of this Act; and generally
11 relating to the Task Force on the Policy and Funding Implications of the High
12 School Assessment as a Graduation Requirement.

13 Preamble

14 WHEREAS, Based on the recommendations of the Thornton Commission on
15 Education Finance, Equity, and Excellence, the General Assembly enacted the
16 landmark Bridge to Excellence in Public Schools Act of 2002 to provide significant
17 increases in State funding for public education, with the goal of enabling all students
18 in the State, regardless of socioeconomic circumstance or geographic location, to meet
19 the State's rigorous academic standards; and

20 WHEREAS, Since the enactment of the Bridge to Excellence in Public Schools
21 Act, the federal No Child Left Behind Act of 2001 has required Maryland to adopt and
22 implement numerous new student performance assessments, including replacing the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Maryland School Performance Assessment Program with the new Maryland School
2 Assessments; and

3 WHEREAS, In addition to the Maryland School Assessments, in 2003 on the
4 recommendation of the State Superintendent of Schools, the State Board adopted
5 regulations to implement the High School Assessment Program and make graduation
6 with a Maryland State diploma contingent on the passage of the High School
7 Assessment in four subject areas (English, algebra/data analysis, biology, and
8 government), beginning with the graduating class of 2009; and

9 WHEREAS, The Maryland State Department of Education has not developed
10 alternative or modified High School Assessments to be offered to students with
11 disabilities who meet certain eligibility criteria, nor developed comparable High School
12 Assessments for students unable to demonstrate their knowledge on the traditional
13 High School Assessments; and

14 WHEREAS, Based on 2006 results of the High School Assessments, of the
15 63,000 students who constitute the class of 2009, as many as 25,000 are at risk of
16 failing one or more of the High School Assessments; and

17 WHEREAS, The Maryland State Board of Education passed Resolution
18 #1998-1, which states that a comprehensive K-12 remediation program and
19 interventions to help students meet high standards, along with a major staff
20 development program for teachers, should be implemented and funded by the State,
21 but that these programs were not established before the State Board decision to make
22 passage of the High School Assessments a graduation requirement; and

23 WHEREAS, The 25,000 students who are at risk of failing one or more of the
24 High School Assessments are located in all 24 school districts in Maryland; and

25 WHEREAS, There is a persistent and large achievement gap, as evidenced by
26 the pass rate for low-income students (as measured by the Free and Reduced Price
27 Meals (FARM) program) and for minority students (primarily African Americans and
28 Hispanics) that on average is as much as 30% lower than the achievement level for
29 their more affluent and white or Asian classmates; and

30 WHEREAS, Only 67% of all 8th graders are proficient in reading and only 55%
31 are proficient in math on the Maryland School Assessments, with a similar large
32 achievement gap for low-income and minority students; and

33 WHEREAS, The achievement gap existed before the introduction of these high
34 stakes State assessments, continues with them – and actually begins in the

1 elementary school grades – resulting in many students dropping out of school before
2 they even take the High School Assessments; and

3 WHEREAS, There is a national and State shortage of highly qualified teachers;
4 and

5 WHEREAS, The schools with the most at-risk students have the lowest
6 percentage of certificated or otherwise qualified teachers; and

7 WHEREAS, The phasing in of the funding increases mandated by the Bridge to
8 Excellence in Public Schools Act of 2002 will conclude in fiscal year 2008, with no
9 further increases scheduled beyond that year; now, therefore,

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That:

12 (a) There is a Task Force on the Policy and Funding Implications of the High
13 School Assessment as a Graduation Requirement.

14 (b) The Task Force consists of the following members:

15 (1) Two members of the Senate of Maryland, one of whom shall be the
16 cochair of the Task Force, appointed by the President of the Senate;

17 (2) Two members of the House of Delegates of Maryland, one of whom
18 shall be the cochair, appointed by the Speaker of the House;

19 (3) One member of the Legislative Black Caucus, appointed by the
20 chair of the Caucus;

21 (4) The State Superintendent of Schools, or an individual designated
22 by the State Superintendent; and

23 (5) The following members, appointed by the Governor:

24 (i) One representative of the Maryland Association of Boards of
25 Education;

26 (ii) One representative of the Maryland State Teachers
27 Association;

28 (iii) One representative of the Public School Superintendents
29 Association of Maryland;

- 1 (iv) One representative of the Maryland PTA;
- 2 (v) One representative of the Maryland Association of
3 Secondary School Principals;
- 4 (vi) One representative of the Maryland Association of Counties;
- 5 (vii) Three representatives of the Maryland Education Council;
- 6 (viii) One representative of an organization representing school
7 children with disabilities; and
- 8 (ix) One member of the public.
- 9 (c) To the extent practicable, in making appointments to the Task Force the
10 Governor shall attempt to ensure regional, ethnic, economic, and gender diversity
11 among the representatives selected.
- 12 (d) (1) The Task Force shall review, evaluate, and make findings and
13 recommendations regarding the following issues relating to the State's High School
14 Assessment Program:
- 15 (i) The High School Assessment Program results from the 24
16 school districts in Maryland, including a demographic breakdown of the data;
- 17 (ii) The efforts of school districts in Maryland and school
18 districts in other states with similar programs to prepare students for the High School
19 Assessment or similar assessments;
- 20 (iii) Best practices in Maryland and in other states to reduce the
21 achievement gap on high school exit examinations and thereby enable all students to
22 graduate;
- 23 (iv) Successful efforts in other states to eliminate the shortage of
24 qualified and certified teachers;
- 25 (v) Efforts in Maryland and in other states to encourage
26 qualified teachers and accomplished principals to work in low-performing schools;
- 27 (vi) A projection of the programs, services, and staffing that is
28 needed to support all students to pass the High School Assessment; and

1 (vii) Any other matter that the Task Force determines to be
2 relevant to an evaluation of the opportunity for all students to achieve success on the
3 High School Assessment.

4 (2) The findings and recommendation of the Task Force at a minimum
5 shall include:

6 (i) Short-term strategies and targeted interventions to increase
7 sharply the pass rate for all sub-groups on the High School Assessment for students
8 graduating in 2009;

9 (ii) Long-term strategies to enable all students in classes
10 graduating beyond 2009 to succeed on the High School Assessment; and

11 (iii) Cost estimates for each of the strategies the Task Force
12 recommends.

13 (e) (1) The Maryland State Department of Education and the Department
14 of Legislative Services jointly shall provide staff support to the Task Force.

15 (2) At the direction of the Task Force, the Maryland State Department
16 of Education and the Department of Legislative Services, on consultation with the
17 Department of Budget and Management, shall contract with experts and consultants
18 as necessary to inform its examination and deliberations.

19 (f) A member of the Task Force may not receive compensation for serving on
20 the Task Force, but is entitled to reimbursement for expenses under the Standard
21 State Travel Regulations, as provided in the State budget.

22 (g) The Task Force shall submit a report of its findings and
23 recommendations to the Governor and, in accordance with § 2-1246 of the State
24 Government Article, the General Assembly, on or before December 31, 2007.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 June 1, 2007. It shall remain effective for a period of 1 year and, at the end of May 31,
27 2008, with no further action required by the General Assembly, this Act shall be
28 abrogated and of no further force and effect.