

Chapter 334

(Senate Bill 667)

AN ACT concerning

Education – Prekindergarten Student Assessment – ~~Moratorium~~

FOR the purpose of ~~placing a moratorium on the a certain assessment of prekindergarten students until a certain audit of the pilot year of the assessment results in certain determinations; and generally relating to a moratorium on~~ authorizing a county board of education to administer a certain assessment of prekindergarten students under certain circumstances; authorizing a certain assessment to be administered to a certain student for a certain purpose; requiring a county board to consult with certain individuals before administering a certain assessment; and generally relating to the assessment of prekindergarten students.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 7–210
 Annotated Code of Maryland
 (2014 Replacement Volume and 2016 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 That the Laws of Maryland read as follows:

Article – Education

7–210.

(a) Except as provided in subsection (b) of this section, a statewide kindergarten assessment that is administered with the purpose of measuring school readiness:

(1) Shall be limited to a representative sample, as determined by the Department, of kindergarten students from within each local school system in the State; and

(2) May include an evaluation of:

- (i) Language and literacy skills;
- (ii) Academic knowledge in mathematics, science, and social studies;
- (iii) Physical development; and
- (iv) Social development.

(b) A principal and a teacher who are in mutual agreement, or a county board, may administer a statewide kindergarten assessment with the purpose of measuring school readiness if:

(1) The assessment is completed on or before October 1; and

(2) The aggregate results are returned within 45 days after administration of the assessment.

(c) (1) Except as provided in paragraph (2) of this subsection, a statewide kindergarten assessment may not be administered to an enrolled prekindergarten student.

(2) ~~[A] SUBJECT TO SUBSECTION (D) OF THIS SECTION,~~ A statewide kindergarten assessment *OR EARLY LEARNING ASSESSMENT* may be administered to an enrolled prekindergarten student by a school psychologist or other school-based professional who intends to use the results in order to identify a disability.

~~(D) (1) A MORATORIUM SHALL BE PLACED ON THE ADMINISTRATION OF THE MANDATORY EARLY LEARNING ASSESSMENT FOR ENROLLED PREKINDERGARTEN STUDENTS UNTIL:~~

~~(I) A COMPLETE AUDIT OF THE 2016-2017 PILOT YEAR OF THE EARLY LEARNING ASSESSMENT IS CONDUCTED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION; AND~~

~~(II) THE AUDIT RESULTS IN A DETERMINATION THAT THE EARLY LEARNING ASSESSMENT IS VALID AND RELIABLE AND IS CONSISTENT WITH THE PURPOSE OF INFORMING INSTRUCTION AND TARGETING INTERVENTIONS AND SUPPORTS.~~

~~(2) AN AUDIT OF THE 2016-2017 PILOT YEAR OF THE MANDATORY EARLY LEARNING ASSESSMENT SHALL BE CONDUCTED TO DETERMINE:~~

~~(I) WHETHER THE ASSESSMENT PROVIDES ACTIONABLE FEEDBACK TO STUDENTS, PARENTS, AND EDUCATORS IN A FORMAT THAT HELPS EDUCATORS IMPROVE THEIR PRACTICE, ENCOURAGES POSITIVE RELATIONSHIPS BETWEEN THE PARTIES, AND HELPS INFORM INSTRUCTION FOR EDUCATORS;~~

~~(II) WHETHER EDUCATORS AND ADMINISTRATORS USE ASSESSMENT DATA TO IMPROVE AND DIFFERENTIATE INSTRUCTION;~~

~~(III) WHETHER THERE IS ANY REDUNDANCY OR DUPLICATION WITH ASSESSMENTS ALREADY REQUIRED AT THE FEDERAL, STATE, OR LOCAL LEVELS;~~

~~(IV) THE AMOUNT OF TIME TEACHERS SPEND ADMINISTERING, COLLECTING, AND ENTERING DATA;~~

~~(V) THE WORKLOAD IMPACT ON EDUCATORS;~~

~~(VI) THE TECHNOLOGY NEEDS OF A SCHOOL DISTRICT OR CLASSROOM IN ORDER TO COLLECT AND ENTER DATA; AND~~

~~(VII) ANY OTHER APPROPRIATE INFORMATION.~~

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A COUNTY BOARD MAY ADMINISTER THE EARLY LEARNING ASSESSMENT TO ENROLLED PREKINDERGARTEN STUDENTS IN THE COUNTY.

(2) 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.

[(d)] (E) The Department shall adopt regulations to implement the requirements of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

Approved by the Governor, April 18, 2017.