

# SENATE BILL 757

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CF 9lr3042

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By: **Senators Klausmeier, Carter, and West**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

AN ACT concerning

### **Primary and Secondary Education – Assessments – Limitation of Administration (One Day in May Act)**

FOR the purpose of altering the method for determining the amount of time devoted to the administration of certain assessments in public schools; limiting the amount of time that is devoted to the administration of certain assessments to a certain period of time and a certain day of the year; and generally relating to the administration of assessments in public schools.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–203(h)  
Annotated Code of Maryland  
(2018 Replacement Volume and 2018 Supplement)

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

#### **Article – Education**

7–203.

(h) (1) (i) In this subsection, “assessment” means a federal, State, or locally mandated test that is intended to measure a student’s academic readiness, learning progress, and skill acquisition.

(ii) “Assessment” does not include:

1. A teacher–developed quiz or test; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



2. A sampling test that is not administered to all students.

(2) (i) On or before August 1, 2017, and each August 1 thereafter in an odd-numbered year, a county board and the exclusive employee representative for teachers for that local school system shall meet and confer regarding:

1. A rubric for evaluating local assessments;
2. The time required to administer each local assessment;
3. The purpose of each local assessment.

and

(ii) 1. Beginning on or after January 1, 2018, and each January 1 thereafter in an even-numbered year, a county board shall establish a District Committee on Assessments that includes administrators, parents, and teachers selected by the exclusive bargaining unit to advise and make recommendations in the following areas:

- A. The time required to administer each assessment;
- B. The duplicativeness of assessments;
- C. The purpose of assessments;
- D. The value of feedback provided to educators; and
- E. The timeliness of results.

2. On or before June 1, 2019, and each June 1 thereafter in an odd-numbered year, the District Committee on Assessments shall submit the Committee's recommendations to the county board and exclusive employee representative for teachers for that local school system.

(iii) Subject to subparagraph (iv) of this paragraph, on or before December 1, 2017, and each December 1 thereafter in an odd-numbered year, a county board and the exclusive employee representative for that local school system shall mutually agree to the amount of time in the aggregate that shall be devoted to federal, State, or locally mandated assessments, on a grade-by-grade basis, for the following year.

(iv) [Subject to subparagraph (v) of this paragraph, if a county board and the exclusive employee representative fail to mutually agree under subparagraph (iii) of this paragraph, the amount of time in the aggregate that shall be devoted to federal, State, or locally mandated assessments shall be no more than 2.2% of the minimum required annual instructional hours in accordance with § 7-103 of this title] **THE AMOUNT OF TIME IN THE AGGREGATE THAT SHALL BE DEVOTED TO THE ADMINISTRATION OF FEDERAL, STATE, AND LOCALLY MANDATED ASSESSMENTS SHALL BE LIMITED TO:**

1. NOT MORE THAN 1 SCHOOL DAY; AND
2. A SCHOOL DAY IN MAY.

[(v) If a county board and the exclusive employee representative fail to mutually agree under subparagraph (iii) of this paragraph, the amount of time in the aggregate that shall be devoted to federal, State, or locally mandated assessments in the eighth grade shall be no more than 2.3% of the minimum required annual instructional hours in accordance with § 7–103 of this title.]

(3) A student may not be subject to the requirement under paragraph (2) of this subsection if the student participates in:

(i) An advanced placement or international baccalaureate program;  
or

(ii) The Scholastic Aptitude Test (SAT), if administered during the regular school day.

(4) Time devoted to teacher–selected classroom quizzes, exams, portfolio reviews, or performance assessments may not be counted toward the requirement under paragraph (2) of this subsection.

(5) This subsection may not be construed to include the requirements of:

(i) A student’s 504 plan;

(ii) The federal Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq.; or

(iii) Federal law relating to English language learners.

(6) This subsection may not be construed to supersede the requirements of the federal Elementary and Secondary Education Act, 20 U.S.C. 6301, et seq.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.