

## Chapter 273

**(House Bill 657)**

AN ACT concerning

**Education – Prekindergarten and Kindergarten Assessments – Administration**

FOR the purpose of requiring a certain statewide kindergarten assessment to be limited to a ~~random~~ representative sample of certain kindergarten students from within certain local school systems in the State, subject to a certain exception; authorizing a certain kindergarten assessment to evaluate certain skills; authorizing certain county boards of education and certain principals and teachers to administer a certain statewide kindergarten assessment under certain circumstances; prohibiting ~~certain standardized tests~~ a statewide kindergarten assessment from being administered to certain prekindergarten students, subject to a certain exception; requiring the State Department of Education to adopt certain regulations; declaring the intent of the General Assembly; and generally relating to the administration of prekindergarten and kindergarten assessments.

BY adding to

Article – Education

Section 7–208

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

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

**Article – Education****7–208.**

**(A) ~~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 ~~RANDOM SAMPLE~~ 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) IN ACCORDANCE WITH A COLLECTIVE BARGAINING AGREEMENT EXECUTED UNDER TITLE 6, SUBTITLE 4 OR SUBTITLE 5 OF THIS ARTICLE, OR AN AMENDMENT TO AN EXISTING AGREEMENT, A~~ 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~~ AFTER THE FIRST FULL DAY OF KINDERGARTEN ~~OCTOBER 1~~; AND

(2) THE AGGREGATE RESULTS ARE RETURNED WITHIN 45 DAYS AFTER ADMINISTRATION OF THE ASSESSMENT.

~~(B)-(C)~~ (1) A EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A ~~STANDARDIZED TEST STATEWIDE KINDERGARTEN ASSESSMENT~~ MAY NOT BE ADMINISTERED TO A AN ENROLLED PREKINDERGARTEN STUDENT.

(2) ~~A STANDARDIZED TEST STATEWIDE KINDERGARTEN 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.

~~(C)~~ (D) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.

*SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that a teacher who administers a statewide kindergarten assessment in accordance with § 7-208(b) of the Education Article, as enacted by Section 1 of this Act, be paid for the time worked in accordance with a collective bargaining agreement executed under Title 6, Subtitle 4 or 5 of the Education Article.*

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, April 26, 2016.