



Karen B. Salmon, Ph.D.
State Superintendent of Schools

TO: Members of the State Board of Education
FROM: Karen B. Salmon, Ph.D.
DATE: May 27, 2020
SUBJECT: Request for Waivers Related to Assessments due to the COVID-19 Pandemic

PURPOSE:

To review the recommendation for waivers related to assessment requirements for graduation as a result of the extraordinary circumstances created by the COVID-19 pandemic and resulting school closures.

BACKGROUND/HISTORICAL PERSPECTIVE:

As a result of the COVID-19 pandemic and state of emergency declared by Governor Larry Hogan, Maryland schools have been closed since March 16, 2020, and will be closed through the end of the school year. The Maryland State Department of Education has been fielding questions and concerns regarding the impact of extended closures. The administration of State assessments is a reoccurring question based on the amount of time between completion of courses in the 2019-2020 school year and the administration of assessments in the 2020-2021 school year.

EXECUTIVE SUMMARY:

Due to these extraordinary circumstances created by the COVID-19 pandemic and resulting school closures, the U.S. Department of Education offered Flexibility for States on the Elementary and Secondary Education Act Assessment and Accountability Requirements. On March 27, 2020, Dr. Salmon received from the Assistant Secretary for Elementary and Secondary Education, U.S. Department of Education, a letter approving Maryland's request for a waiver of assessment and accountability requirements. Through the waiver, Maryland was not required to administer its statewide assessments to all students in the 2019-2020 school year, or make annual accountability determinations, identify schools for support and improvement, or provide data on Maryland's and local report cards for assessment and accountability information based on the 2019-2020 data.

At the April 14, 2020, State Board meeting, the State Board granted a waiver for students graduating in the 2019-2020 school year from participating and passing assessments in Algebra I, English 10, and American Government and for participating in the Maryland Integrated Science Assessment (MISA). The request included a waiver from completing the Bridge Plan for Algebra I, English 10, and/or American Government for students graduating in the 2019-2020 school year.

Given the closure of schools, any student who passed assessed courses during the 2019-2020 school year would have to wait until the 2020-2021 school year to take the assessment related to the course which counts as a graduation requirement for these students. This would be potentially four months since the end of the 2019-2020 school year and seven months since the student was physically in class. As a result of reviewing the Maryland Annotated Code, the Code of Maryland Regulations (COMAR), and other documents, and based on the authority of the State Board included under Education Article section 2-205 and COMAR 13A.01.01.02-1 *Waiver from Regulations*, the following waivers are requested collectively for all local school systems for good cause, as necessary and justifiable, arising from the state of emergency:

COMAR 13A.03.02.06 *Maryland High School Assessments* –Request a waiver for all students who passed Algebra I, English 10, American Government, and the high school assessed science course in the 2019-2020 school year from participating in and passing assessments in Algebra I, English 10, and/or American Government, and for participating in the Maryland Integrated Science Assessment (MISA). This request includes a waiver from completing the Bridge Plan for Algebra I, English 10, and/or American Government for any student who was to be reassessed or complete the Bridge Plan in the 2019-2020 school year.

ACTION:

Request approval of the identified waivers.

ATTACHMENT:

COMAR 13A.03.02.06 *Maryland High School Assessments*

13A.03.02.06 *Maryland High School Assessments.*

A. A student shall take the requisite Maryland High School Assessment during its next regular administration if the student received credit for taking, by the methods identified in Regulations .03 and .04 of this chapter, any of the following courses aligned with the Maryland High School Assessment:

- (1) Algebra;
- (2) Science;
- (3) English; or
- (4) Government.

B. To be awarded the Maryland High School Diploma, all students, including elementary and middle school students who take high school level courses, shall take the Maryland High School Assessment for algebra, science, English, and government after the student completes the required course or courses.

C. Each local school system shall provide appropriate assistance to strengthen areas of weaknesses for students who have not achieved satisfactory scores on the Maryland High School Assessments.

D. Bridge Plan for Academic Validation.

(1) Eligibility Criteria. A student is eligible to satisfy the graduation assessment requirement through the Bridge Plan for Academic Validation if the student has:

- (a) Failed one or more Maryland High School Assessments;
 - (b) Received credit in the course or courses related to the assessment or assessments;
 - (c) Demonstrated overall satisfactory attendance in the most recent school year completed; and
 - (d) Demonstrated satisfactory progress toward achieving the high school diploma requirements specified in COMAR 13A.03.02.09B(1) and (2); and
 - (e) Participated successfully in appropriate assistance as defined in §C of this regulation after having failed one or more of the Maryland High School Assessments.
- (2) A student may begin a Bridge Project after one failure of a Maryland High School Assessment.
- (3) A student may use the score on the Bridge Project to meet the graduation requirement only after the student has taken the Maryland High School Assessment twice and failed twice.
- (4) The Bridge Plan for Academic Validation shall consist of:
- (a) Specific modules developed by the Department in each of the Maryland High School Assessments content areas;
 - (b) The assignment by the local school system of one or more modules for completion by each student meeting the eligibility criteria;
 - (c) Scoring by the local review panels of the completed modules according to State-developed, Statewide scoring protocols;

(d) A recommendation from the local review panels to the local superintendent as to the outcome of the scoring of each student's module or modules;

(e) Acceptance or rejection by the local superintendent of the local review panel's recommendations;
and

(f) An opportunity for the student to appeal the local superintendent's decision to the State Superintendent of Schools.

E. Reporting Student Performance.

(1) A school system shall state on the student's performance record card only that the student has or has not met all assessment requirements and shall not describe the option used to meet the requirement.

(2) For the purpose of this section, except for students identified in §F of this regulation, "met all assessment requirements" means achieving a passing score on all Maryland High School Assessments, or meeting the requirements of the combined score option, or successfully completing a Bridge Project in those assessment areas that the student did not pass.