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TO: Members of the State Board of Education
FROM: Lillian M. Lowery, Ed.D. *mlowery*
DATE: December 16, 2014
SUBJECT: Amendments to Graduation Requirements Regulations
COMAR 13A.03.02.06 and .02

PURPOSE:

The purpose of this memo is to present proposed amendments to the Graduation Requirements regulations that revise assessment requirements during the upcoming two years of transition from HSA English and Algebra Assessments to the PARCC English 10 and Algebra I assessments.

HISTORICAL BACKGROUND:

At the October 24, 2014 Board meeting, we presented an assessment transition plan to you for approval. We explained the two major challenges we faced to balance testing requirements and graduation assessment requirements.

The first challenge concerned the opportunity to retake the HSA English and Algebra assessments. That opportunity will end at the close of the 2014-2015 school year. Students who are in grades 12 and 11 in school year 2014-2015 who have not passed the English or Algebra HSAs and the re-testers in lower grades will not have met the English and/or Algebra HSA assessment graduation requirements and in school year 2014-2015 their opportunity to do so will expire. Shifting these students to PARCC assessments would present significant challenges to those students.

The second challenge related to when the PARCC English 10 and Algebra I results will be available. For first time test takers in school year 2014-2015, the test results must be sufficiently analyzed to do standard setting to establish a cut score for passing the tests. Our best prediction is that cut scores will not be available until December 2015. That is mid-way through the 2015-2016 school year. Thus, those students taking the PARCC English 10 and Algebra I assessments in school year 2014-2015 will not know if they passed until December 2015, at the earliest, and their PARCC re-take opportunities would not occur until late in the 2015-2016 school year.



Thus, as we explained, during these two transition years, there is some misalignment in testing opportunities and in obtaining PARCC results quickly. Moreover, passing the HSA or PARCC assessments currently carries the high stakes of being a graduation requirement. Yet, the transition challenges add more uncertainties for students in school years 2014-2015 and 2015-2016 who have not passed the requisite assessments. Those challenges currently affect their ability to graduate. Just as teachers requested relief from high-stakes evaluation during the transition years, on behalf of our students, we recommended to you in October a plan to provide struggling students with similar relief.

As the State Board did when it phased in the HSAs to become graduation requirements, we proposed to phase in passing PARCC English 10 and Algebra I as graduation assessment requirements and phase out passing the HSA English and Algebra assessments to graduate. We recommended that passing PARCC English 10 and Algebra I become a graduation requirement in the 2016-2017 school year.

You approved the HSA to PARCC English/Algebra Transition Plan for school years 2014-2015 and 2015-2016.

SUMMARY:

We are presenting proposed amendments to the Graduation Requirements regulation that reflect the transition plan described above. Given the expiration of the HSA opportunities and the timing of the receipt of the PARCC results, the regulations phase-out the high stakes impact of the assessments for a limited time period. Simply put, the proposed regulations allow any student who has taken an HSA-aligned or PARCC-aligned test in English and/or Algebra prior to the 2016-2017 school year to meet graduation requirements by passing the course and taking the aligned assessment. (See attached for description of the student cohort). There will be no re-test or Bridge Plan requirements for those students who fail the aligned-assessment.

We have also amended the definition section of the regulation to define "HSA" and "PARCC Assessment."

In addition, based on previous comments received from the special education community, we have deleted "day programming" from the Certificate of Program Completion regulation and added "other services that are integrated into the community."

ACTION:

I request your approval to publish the proposed regulation in the Maryland Register for comment.

Students in the cohort

Prior to 2016-2017 school year:

- (1) Student took Algebra I and English 10 course(s) for original credit and passed course(s), but failed aligned assessment(s);(graduation requirement met)
- (2) Student took Algebra I and English 10 course(s)and failed, took courses a second time, passed the course(s), took aligned assessment(s), and passed or failed; (graduation requirement met)

13A.03.02.06

.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) Biology;
- (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, biology, English, and government after the student completes the required course.

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. Each student who fails a Maryland High School Assessment shall be provided at least one opportunity to retake the appropriate assessment in accordance with the testing schedule issued by the Department.

E. Bridge Plan for Academic Validation.

(1) Eligibility Criteria. *Except for the students identified in Section G of this Regulation, [A]* a student shall participate in the Bridge Plan for Academic Validation if the student has:

- (a) Failed one or more Maryland High School Assessments at least twice;
- (b) Received a passing grade and earned 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 the regulation after having failed one or more the Maryland High School Assessments.
- (2) 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 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.

F. 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 describe the option used to meet the requirement.
- (2) For the purpose of this section, "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 Plan in those assessment areas that the student did not pass *or, for students identified in Section G (2) of this regulation, taking the assessments aligned with the HSA or PARCC Algebra I and/or English 10.*

G. Prior to the 2016-2017 school year, if a student has taken an HSA-aligned or PARCC-aligned Algebra I and/or English 10 course and has passed the course(s) but failed the assessment aligned to the course(s) that student is exempt from completing a Bridge Plan for Academic Validation.

13A.03.02.09

.09 Diplomas and Certificates.

A. The types of diplomas and certificates specified in §§B-D of this regulation shall be awarded to any student who meets the requirements for award.

B. Maryland High School Diploma. Except as provided in Regulation .12 of this chapter, and in §C of this regulation, to be awarded a Maryland high school diploma, a student shall:

(1) Complete the enrollment, credit, and service requirements as specified in this chapter;

(2) Complete local school system requirements; and

(3) Satisfy one of the following:

(a) Achieve a passing score as established by the Department on the Maryland High School Assessments for algebra, biology, English, and government;

(b) Achieve a[n overall] combined score(s) as established by the Department on the Maryland High School assessments; [for algebra, biology, English, government;]

(c) Achieve a score as established by the Department on Department-approved substitute assessments for algebra, biology, English, and government, aligned with the Maryland High School Assessments such as Advanced Placement examinations, SAT I, SAT II, *ACT*, and International Baccalaureate examinations; [or]

(d) *In school year's 2016-2017 and beyond*, if a student is unable to meet the requirements in §B(3)(a)-(c) of this regulation, then satisfactorily complete the requirements of the Bridge Plan for Academic Validation as set forth in Regulation .06E of this chapter; *but*

(e) *Prior to the 2016-2017 school year, if a student has taken an HSA-aligned or PARCC-aligned Algebra I and/or English 10 course and has passed the course(s) but failed the assessment aligned to the course(s) that student is exempt from completing a Bridge Plan for Academic Validation.*

C. *Any student who has taken an HSA-aligned or PARCC-aligned Algebra I and/or English 10 course prior to the 2016-2017 school year may meet the graduation requirements for Algebra I and/or English 10 in the following ways:*

(1) *Passing the course(s) and passing the assessments aligned to the Algebra I and/or English 10 course or;*

(2) *Passing the course(s) and taking the assessment aligned to the Algebra I or English 10 course(s) at least one time.*

D. [C.] Maryland High School Diploma by Examination.

(1) **General Educational Development Testing Program.** A Maryland High School Diploma by Examination may be awarded for satisfactory performance on approved general educational development tests if the student meets those requirements as defined in Labor and Employment Article, §11-808, Annotated Code of Maryland, and COMAR 09.37.01.04.

(2) **Maryland Adult External High School Diploma Program.** A Maryland High School Diploma by Examination may be awarded for demonstrating competencies in general life skills and individual skills on applied performance tests if the student meets those requirements as defined in COMAR 09.37.01.20.

E. [D.] Maryland High School Certificate of Program Completion.

(1) This certificate shall be awarded only to students with disabilities who cannot meet the requirements for a diploma but who meet the following standards:

(a) The student is enrolled in an education program for at least 4 years beyond grade 8 or its equivalent, and is determined by an IEP team, with the agreement of the student and the parents of the student, to have developed appropriate skills for the individual to enter the work of work, act responsibly as a citizen, and enjoy a fulfilling life, with the world of work including but not limited to:

(i) Gainful employment;

(ii) Post-secondary education and training;

(iii) Supported employment; and

(iv) [Day programming; or] *Other services that are integrated in the community*; or

(b) The student has been enrolled in an education program for 4 years beyond grade 8 or its equivalent and will have reached age 21 by the end of the student's current school year.

(2) An Exit Document that describes the student's skills shall accompany the Maryland High School Certificate of Program Completion.

(3) The decision to award a student with disabilities a Maryland High School Certificate of Program Completion will not be made until after the beginning of the student's last year in high school.

(4) A student with significant cognitive disability may not meet high school graduation requirements, in accordance with §B of this regulation, if a student:

(a) Participates in an Alternative Assessment based on Alternative Academic Achievement Standards (AA-AAAS); and

(b) Continues to receive instruction based on Alternative Academic Achievement Standards through high school.

(4) If a student participates in a graduation ceremony prior to the completion of the student's education program, at the ceremony the school system shall issue to the student a Certificate of Achievement or other similarly title certificate in place of a diploma.

F. [E.] Local Endorsements. Consistent with procedures established by the Department, each local school system may add endorsements to the diploma as incentives for students to meet locally established requirements and outcomes in instruction by the minimums specified by the State.

13.A.03.02.02

.02 Definitions

A. In this chapter, the following terms have the meanings indicated.

B. Terms Defined.

(1) "Combined score" means the total of the passing scores established by the Department on the Maryland High School Assessments in algebra, biology, English, and government. **(Does this need to be changed?)**

(2) "Credit" means successful demonstration of a specified unit of study.

(3) "Department" means the State Department of Education.

(4) "*HSA*" means the high school assessment aligned to the Maryland State Curriculum standards.

[(4)] (5) "Individual education program (IEP)" means a written description for a student with a disability that is developed reviewed, and revised in accordance with 20 U.S.C. §1414 and COMAR 13A.05.01.

[(5)] (6) "Maryland High School Assessments" means the *HSA, PARCC, or other* tests in algebra, biology, English, and government developed or adopted by the Department *that* are aligned with and measure a student's skills and knowledge as set forth in the content standards for those subjects.

[(6)] (7) "Minimum score" means an acceptable score established by the Department below the passing score on a Maryland High School Assessment that may be used by a student to satisfy the combined score option.

(8) "*PARCC Assessment*" means the assessment aligned to the Maryland College and Career Readiness standards.