



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

TO: Members of the State Board of Education

FROM: Karen B. Salmon, Ph.D.

DATE: March 26, 2019

SUBJECT: COMAR 13A.03.02
Graduation Requirements for Public High Schools in Maryland
AMENDMENT - PERMISSION TO PUBLISH

PURPOSE:

The purpose of this item is to request permission to publish amendments to Code of Maryland Regulation (COMAR) 13A.03.02 *Graduation Requirements for Public High Schools in Maryland*. The specific amendment to 13A.03.02.09C Exception to Passing Score Requirement would extend the graduation requirement exemption for the High School Maryland Integrated Science Assessment (HS MISA) by two years.

REGULATION PROMULGATION PROCESS:

Under Maryland law, a state agency, such as the State Board, may propose a new or amended regulation whenever the circumstances arise to do so. After the State Board votes to propose such a regulation, the proposed regulation is sent to the Administrative, Executive, and Legislative Review Committee (AELR) for a 15-day review period. If the AELR Committee does not hold up the proposed regulation for further review, it is published in the Maryland Register for a 30-day public comment period. At the end of the comment period, the Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, the MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; (2) revise the regulation and adopt it as final because the suggested revision is not a substantive change; or (3) revise the regulation and re-propose it because the suggested revision is a substantive change. At any time during the process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may recommend to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

HISTORICAL BACKGROUND:

The HS MISA, aligned to the Next Generation Science Standards (NGSS), integrates all three dimensions of the standards including the disciplinary core ideas, science and engineering Practices, and crosscutting concepts. The disciplinary core ideas include life science, physical science, Earth and space science content. The primary purpose of MISA is to provide high-quality science

assessments to measure how well students understand grade band concepts in science. The assessment is one of several ways to help parents and teachers understand how well children are acquiring science concepts and practices. The High School MISA assesses content and practices contained in multiple high school courses hence it is not an end of course examination.

In January 2018, the Maryland State Board of Education adopted revisions to COMAR 13A.03.02.09.C granting an exception for all students taking the HS MISA in the 2017-2018 and 2018-2019 school years because the new assessment was being developed to replace the previous High School Assessment in Biology. In addition, during this time, local school systems had been writing and implementing curriculum aligned to NGSS as well as reconfiguring their high school course sequences.

The HS MISA was field tested in the 2017-2018 school year and is being administered operationally in the 2018-2019 school year. Standard setting for the HS MISA will occur in August 2019 after all the data from that year's administration is compiled. It is expected that the student, school, and school system reports for the first operational year would be sent to school systems on or about November 1, 2019.

The local school systems would be provided student, school, and system reports based on the HS MISA results. Schools will receive student scores, and local school systems will receive a school performance level summary. Information about the State, system, and school average results will be included in relevant sections of the reports to help schools and systems understand how student and school performance compares to other students and schools. Additional reports are designed to provide a more in-depth analysis of demographic and program categories with student groups' performance on the assessment and items as they relate to both the alignment to HS MISA Evidence Statements and the NGSS. With this data, school systems will have the evidence to support improvement initiatives prioritizing professional learning, resource decisions, and verifying program alignment with academic standards.

EXECUTIVE SUMMARY:

System, school, and student level data is expected to be released late in the fall 2019, well after instruction has begun for the 2019-2020 school year. Local school systems will not have an opportunity to revise curricula, deliver professional learning, adjust staffing, or secure resources for HS MISA and therefore, this amendment requests that the graduation requirement exemption be extended for students taking the HS MISA in the 2019-2020 and 2020-2021 school years. Extending the exemption for the HS MISA as a graduation requirement would allow local school systems time to analyze the data from the initial operational years of the HS MISA and allow students to participate in a full sequence of courses aligned to the new assessment prior to a score on the HS MISA counting for graduation. The potential exists for many students to be negatively impacted by the convergence of revised programs and the new assessment.

ACTION:

Request permission to publish the proposed amendments to COMAR 13A.03.02.09.C *Graduation Requirements for Public High Schools in Maryland*

Attachment: COMAR 13A.03.02

Title 13A STATE BOARD OF EDUCATION

Subtitle 03 GENERAL INSTRUCTIONAL PROGRAMS

Chapter 02 Graduation Requirements for Public High Schools in Maryland

Authority: Education Article, §§2-205, 4-110, 4-111, 7-203, 7-205, 7-205.1, 7-206, and 8-404, Annotated Code of Maryland

.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) Meet the graduation assessment requirements in the following ways:

(a) Achieve a passing score on the Maryland High School Assessments for Algebra I, science, government, and English 10;

(b) Achieve a combined score(s) as established by the Department on the Maryland High School Assessments;

(c) Achieve a passing score on an approved alternative assessment as established by the Department, such as Maryland High School Assessment for Algebra II, Advanced Placement examinations, SAT, ACT, or International Baccalaureate examinations; or

(d) Except for students described in Regulation .06F of this chapter, if a student is unable to meet the requirements in §B(3)(a)—(c) of this regulation, then the student shall satisfactorily complete the requirements of the Bridge Plan for Academic Validation as set forth in Regulation .06D of this chapter.

C. Exception To Passing Score Requirement.

(1) For students who are graduating in school years 2016—2017 and 2017—2018 and who are first-time test takers during those school years of the Maryland High School Assessment in Algebra I and/or English 10, the requirements set forth in §B(3)(a) of this regulation do not apply. For those students only, taking the Algebra I and/or English 10 Maryland High School Assessment for the first time will meet the graduation assessment requirement for Algebra I and English 10.

(2) For all students taking the HSA biology assessment in the 2016—2017 school year, taking the HSA biology assessment will meet the graduation assessment requirement for biology.

(3) For all students taking the Maryland Integrated Science Assessment in the 2017—2018, [and] 2018—2019, 2019-2020, and 2020-2021 school years, taking the Maryland Integrated Science Assessment will meet the graduation assessment requirement for science.

D. 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. 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 age 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 world 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) 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 age equivalent and will have reached age 21 by the end of the student's current school year.

(2) The Maryland Summary of Performance that describes the student's skills shall accompany the Maryland High School Certificate of Program Completion.

(3) The final 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.
- (5) 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 titled certificate in place of a diploma.
- F. 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 beyond the minimums specified by the State.
- G. At least yearly, through the end of the implementation, the State Board will review and assess updated information on the graduation assessment requirements and scores.

KAREN B. SALMON, Ph.D.
State Superintendent of Schools