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State Superintendent of Schools

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**TO:** Members of the State Board of Education  
**FROM:** Dr. Sylvia Lawson, Acting State Superintendent of Schools  
**DATE:** October 26, 2023  
**SUBJECT:** Kindergarten Readiness Assessment  
COMAR 13A.08.01.02-3  
**PERMISSION TO PUBLISH**

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### Purpose

The purpose of this action is to request that the State Board grant permission to publish COMAR 13A.08.01.02-3 Kindergarten Readiness Assessment (KRA) procedures (Attachment 1).

### Standard 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 (AELR) Committee 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, Maryland State Department of Education (MSDE) staff reviews and summarizes the public comments. Thereafter, MSDE staff will present a recommendation to the State Board of Education to either: (1) adopt the regulation in the form it was proposed; or (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 this process, the AELR Committee may stop the promulgation process and hold a hearing. Thereafter, it may be recommended to the Governor that the regulation not be adopted as a final regulation or the AELR Committee may release the regulation for final adoption.

### Executive Summary and Background

Prior to school year 2016-2017 Maryland administered the Kindergarten Readiness Assessment (KRA) to all kindergarteners (census administration) statewide. At the October 2016 State Board of Education meeting, COMAR 13A.08.01.02-3 was adopted which allowed local education agencies (LEAs) to have a representative sample of kindergarten students participate in the KRA. In the school year 2022-2023, the KRA returned to a census administration.

Section 5-404(g) of the Education Article provides that “[a unit of State government required to implement an element of the Blueprint for Maryland’s Future shall, before adopting regulations relating to the Blueprint, consult with the [Accountability and Implementation] Board.” The amendments to the statute that converted the KRA

from a representative sample to a statewide assessment were part of the Blueprint legislation. As such, consultation with the Accountability and Implementation Board (AIB) is required. MSDE consulted with the AIB on October 4, 2023.

The proposed regulation for the KRA seeks to align the requirements for the administration of the assessment with the updated Education Code § 7-210 (2022). The proposed amended regulations for COMAR 13A.08.01.02-3 will establish the requirement for each LEA to administer a department approved kindergarten readiness assessment to all incoming kindergarten students.

### **About the KRA**

Maryland and Ohio received federal grant funds to develop the KRA leveraging funding by Race to the Top—Early Learning Challenge grants in 2011 and the Enhanced Assessment Grant (EAG) awarded by the U.S. Department of Education in 2013. The KRA is designed to measure children’s preparedness for kindergarten instruction, as defined by the essential domains of school readiness, upon entry to kindergarten. Further, the KRA is aligned to the states’ early learning standards, specifically the end-of-prekindergarten standards. The assessment measures students’ skills, knowledge, and behaviors across four domains: language and literacy, mathematics, social foundations, and physical well-being and motor development. The KRA is designed to be administered by classroom teachers during the first 6–8 weeks of school and utilizes multiple item types (i.e., selected response, performance tasks, and observational rubrics) to assess school readiness. The KRA consists of 50 total items (9 selected response, 17 performance tasks, and 24 observational rubrics).

### **Action**

Request permission to publish COMAR 13A.08.01.02-3 - Kindergarten Readiness Assessment

### **Attachments**

COMAR 13A.08.01.02-3 - Kindergarten Readiness Assessment

**Title 13A STATE BOARD OF EDUCATION**  
**Subtitle 08 Students**

Authority: Education Article, §§2-205, 7-101, 7-101.1, 7-210, 7-301, 7-301.1, 7-303—7-305, 7-305.1, 7-307, 7-308, and 8-404, Annotated Code of Maryland; Ch. 273, Acts of 2016; Federal Statutory Reference: 20 U.S.C. §§1232g and 7912

**Chapter 01 General Regulations**

**.02-3 Kindergarten Readiness Assessment.**

**A. Statewide Assessment.**

(1) Each school year, each local school system shall administer a Department-approved kindergarten readiness assessment to all incoming kindergarten students that:

(a) Is racially and culturally unbiased; and

(b) Includes an evaluation of:

(i) Language and literacy skills;

(ii) Academic knowledge in mathematics, science, and social studies;

(iii) Physical development; and

(iv) Social development.

(2) The Department-approved kindergarten readiness assessment shall be the sole diagnostic assessment for measuring school readiness.

(3) Except as provided in §A(4) of this regulation, the Department-approved kindergarten readiness assessment may not be administered to an enrolled prekindergarten student.

(4) The assessment may be administered to an enrolled prekindergarten student by a school psychologist or other school-based professional to identify a disability.

**B. Assessment Process.**

(1) Each local school system shall complete the administration of the Department-approved kindergarten readiness assessment no later than October 10 of each school year.

(2) A local school may administer:

(a) A portion of the assessment to students in the local school system during the summer months before kindergarten begins; and

(b) The remaining portion of the assessment on or before October 10 of the school year.

(3) The Department shall return to the local school system the aggregate results of the assessment within 45 days after the administration of the assessment.

**C. Consultation with Teachers.** Before administering the Department-approved kindergarten readiness assessment, the local school system shall consult with kindergarten teachers, including teachers nominated by the exclusive bargaining representative, in determining how to implement the assessment.

**[A. Definitions.**

(1) For the purpose of this regulation, the following terms have the meanings indicated.

(2) Terms Defined.

(a) “Department-approved kindergarten readiness assessment” means the kindergarten readiness assessment developed and approved by the Department for the purpose of measuring school readiness.

(b) “Representative sample” means a sample of sufficient size to produce valid and reliable assessment information on all and major subgroups of students in the local school systems as of the first day of school and as identified by the Department.

**B. Representative Sample Assessment Process.**

**(1) Each school year, each local school system shall complete the administration of the Department-approved kindergarten readiness assessment to the representative sample in the following areas:**

- (a) Social development;**
- (b) Language and literacy skills;**
- (c) Academic knowledge in mathematics, science, and social studies; and**
- (d) Physical development.**

**(2) The Department shall provide each local school system with the representative sample identified for the local school system by the Department for assessment.**

**(3) The Department shall report the results of the representative sample assessment to local school systems in a format developed by the Department.**

**C. Full-Census Assessment Process.**

**(1) A local county board of education or a principal and a teacher who are in mutual agreement may decide to assess all students entering kindergarten in a school year using the Department-approved kindergarten readiness assessment.**

**(2) The superintendent of a local school system shall notify the Department that:**

- (a) The local county board of education has decided to conduct a full census assessment of all students in all kindergarten classes; or**
- (b) A principal and teacher in a school in the local school system have agreed to conduct a full census assessment of all students in that teacher's kindergarten class.**

**(3) A teacher who is administering a full census assessment shall complete the assessment on or before October 1 of the school year.**

**(4) The Department shall return to the local school system the aggregate results of the full census assessment within 45 days after the administration of the assessment.]**

**D. Publication of Results of Assessments.** The Department shall publish and disseminate to local school systems the aggregated assessment information no later than November 15 of each year.