

**TO:** Members of the State Board of Education

**FROM:** Carey M. Wright, Ed.D., State Superintendent of Schools 

**DATE:** June 25, 2024

**SUBJECT:** Kindergarten Readiness Assessment  
COMAR 13A.08.01.02-3  
**PERMISSION TO ADOPT**

### **Purpose**

The purpose of this action is to request that the State Board grant permission to adopt COMAR 13A.08.01.02-3 - Kindergarten Readiness Assessment.

### **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**

#### Proposed Regulation

Prior to school year 2016-2017 Maryland administered the Kindergarten Readiness Assessment (KRA) to all kindergartener students statewide, known as a census administration. 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. Additionally, the proposed amended regulations clarify the administration and use of the KRA assessment when used to identify a suspected disability and to make a referral under COMAR 13A.05.01.

#### Stakeholder Engagement

During the public comment period, which was held from April 5, 2024, to May 6, 2024, MSDE received one comment from Monique T. Felder, Ph.D, Interim Superintendent of Montgomery County Public Schools. The comment supported the amendment and expressed concerns about the workload on the staff who administer the assessment at the start of the school year. Additionally, the comment raised concerns about the economic impact, timeline, and potential overlap of assessment content related to the transition to a new department approved KRA. The transition to a new department approved KRA is outside the scope of the amendment.

#### **Action**

Request that the State Board grant permission to adopt COMAR 13A.08.01.02-3 - Kindergarten Readiness Assessment.

#### **Attachments**

COMAR 13A.08.01.02-3 - Kindergarten Readiness Assessment

## Subtitle 08 STUDENTS

### Chapter 01 General Regulations

Authority: Education Article, §§2-205, 7-101, 7-101.1, 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

#### **[.02-3 Kindergarten Readiness 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.]

#### **.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) Is administered with the purpose for educators to develop a holistic picture of each child’s readiness for kindergarten and ensure that schools and communities are ready to support a child’s development in all areas; and

(c) 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.

(2) The Department-approved kindergarten readiness assessment is a diagnostic assessment for educators to develop a holistic picture of each child’s readiness for kindergarten and ensure that schools and communities are ready to support a child’s development in all areas.

(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 kindergarten readiness assessment may be administered to an enrolled prekindergarten student by a school psychologist or other school-based professional who intends to use the results of the kindergarten readiness assessment as one of several measures for early detection of learning challenges or to make a referral under COMAR 13A.05.01.

##### 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 system 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.*

CAREY M. WRIGHT, Ed.D.  
Interim State Superintendent of Schools

# MONTGOMERY COUNTY PUBLIC SCHOOLS

*Expanding Opportunity and Unleashing Potential*

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

May 6, 2024

Ms. Emily Oliver  
K-3 Assessment Content Manager  
Maryland Department of Education  
Division of Assessment, Accountability, and Performance Reporting  
200 West Baltimore Street  
Baltimore, MD 21201

Dear Ms. Oliver,

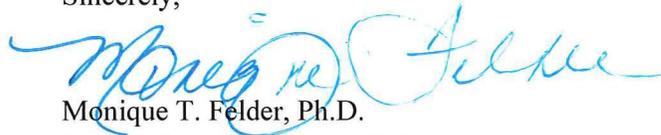
Montgomery County Public Schools (MCPS) would like to provide the comment on proposed revisions to COMAR 13A.0801, Kindergarten Readiness.

MCPS Comments:

- MCPS supports the amendment.
- However, MCPS is concerned about the increased workload and time needed for school psychologist or other school-based professional, who administers the assessment during the first month of school.
- There are additional concerns that MCPS has in regard to the economic impact and breach of contract for the initial implementation of the new assessment. These changes will require the school district to provide professional learning to all kindergarten teachers and other school-based professionals, on how to effectively administer the assessment, as part of required training. Teachers will need to be compensated at their rate of pay for participating in the professional learning. Additionally, as part of union agreement, MCPS is required to notify teachers of required summer training by March 1.
- MCPS is concerned that the assessment will not be available in time for year-round school to have access by July 8, 2024.
- MCPS is also concerned that depending on the format or length of the new kindergarten readiness assessment, students and teachers will be engaged a series of assessments at the start of the school year that measure the similar skills. MCPS currently assesses language, literacy and mathematics at the start of the kindergarten school year to measure readiness.

Thank you for the opportunity to comment on these revisions.

Sincerely,



Monique T. Felder, Ph.D.  
Interim Superintendent of Schools

SPW:LTP:sd

Copy to:

Ms. Dempsey                      Mrs. Hazel  
Dr. Pugh                              Mrs. Brown