



DEPARTMENT OF GENERAL SERVICES
OFFICE OF STATE PROCUREMENT
ACTION AGENDA
April 3, 2024



SUPPLEMENTAL

*Contact: Jenna Meinel, 410-767-0008
jenna.meinel@maryland.gov*

99-EX. EXPEDITED PROCUREMENT REQUEST
Department of Education

Recommendation: The Maryland State Department of Education (MSDE) is requesting approval to use the Expedited Procurement method as per the Code of Maryland Regulations (COMAR) 21.05.06.03.

Description: Under the Blueprint for Maryland’s Future and Education Code § 7-210, the Maryland State Department of Education is tasked with administering a Kindergarten Readiness Assessment (KRA) to all incoming kindergarten students that is racially and culturally unbiased. MSDE contracted with John’s Hopkins Center for Technology in Education (CTE) to fulfill a requirement in the Blueprint Comprehensive Plan to study the current KRA for any racial, cultural, or linguistic biases. John’s Hopkins CTE, in collaboration with WestEd, completed a study and provided a report to MSDE which has been shared with the Accountability Implementation Board (AIB) at their request. John’s Hopkins CTE and Wested also collaborated on the original design of the current KRA instrument administered to all Maryland kindergarten students.

The study looked across groups of Maryland kindergarten students, including gender, race/ethnicity, English language proficiency, socioeconomic status, and special education status. The findings from the study, using differential item functioning (DIF), indicated instances of moderate to significant differential performance across student groups. DIF results can identify potential concerns about fairness and validity, as they provide an indication of items that might be biased toward specific student groups. DIF results should be substantiated with a qualitative review by subject matter experts to determine if items are genuinely biased. The study indicated that nearly all student group comparisons as part of the study had moderate to significant differentials indicating an unacceptable risk of biases. By their own admission, the evaluators acknowledge test bias in the instrument their organizations originally helped to design.

MSDE has reviewed the report carefully to weigh options. The report provided recommendations to mitigate the study findings. The timeline to implement and complete the recommendations would involve staff time and additional expenses with partial implementation in 2025-2026. Full implementation of resolving the study findings would not be expected until 2026-2027. In addition to the study findings, MSDE has engaged with LEA personnel who have expressed dissatisfaction with the current KRA, including both the administration and the usability of the assessment results. Put simply, LEA leaders question the results KRA yields, and the current external evaluation further casts doubt on its objectiveness.



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99-EX. EXPEDITED PROCUREMENT REQUEST (cont'd)

Description (cont'd):

Governor Wes Moore's strategic plan and the Blueprint for Maryland's Future are dependent on a valid and reliable Kindergarten Readiness Assessment. This assessment should produce actionable data that will assist teachers in preparing our youngest learners, which the current assessment cannot do. School Superintendents and their staff must have confidence in the diagnostic instruments they are asked to administer because it directly impacts their response to the learning needs of all students. The National Center for Educational Statistics Early Childhood Longitudinal Study is quite clear – “from an equity perspective, monitoring kindergarten readiness is important because large between-group disparities become apparent well before children enter kindergarten and can have lasting effects.” Our measurement of these skills must, therefore, be as accurate as possible.

Given that the study revealed moderate to significant biases, the time and effort needed to rectify the numerous flaws in the current assessment, and the current dissatisfaction expressed by the field, MSDE has determined that a new KRA system needs to be implemented urgently and declared a need for an expedited procurement to ensure that a KRA assessment without biases is available at the beginning of the 2024-2025 school year.

There are concerns with the current KRA contract with JHU CTE that have required MSDE to need an expedited procurement to ensure ongoing services for the State. It is also in the State’s best interest to conduct an expedited procurement to maintain a valid KRA assessment in place for the next school year, and it could potentially impact new students entering the school system in the upcoming school year. Therefore, MSDE respectfully requests your approval to use the Expedited Procurement method as per COMAR 21.05.06.03, as it is imperative to Maryland students.

Pursuant to Maryland State Finance & Procurement Article (SFP) § 13-108 (d)(1), MSDE’s Procurement Officer, with approval of the Agency Head, has determined that this procurement should be expedited because: (1) urgent circumstances require prompt action; (2) an expedited procurement best serves the public interest; and (3) the need for the expedited procurement outweighs the benefits of making the procurement on the basis of competitive sealed bids or competitive sealed proposals. However, the procurement officer shall attempt to obtain as much competition as reasonably possible per SFP § 13-108 (d)(2).

MBE/VSBE Participation Goal: 5% / 0%

BOARD OF PUBLIC WORKS		THIS ITEM WAS:	
APPROVED	DISAPPROVED	DEFERRED	WITHDRAWN
WITH DISCUSSION		WITHOUT DISCUSSION	