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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

April 18, 2002

State Board of Education  
c/o Honorable Charles B. Zogby, Secretary  
Department of Education  
333 Market Street, 10th Floor  
Harrisburg, PA 17126

Re: Regulation #6-276 (IRRC #2253)  
State Board of Education  
Academic Standards and Assessment for Arts and  
Humanities; Health, Safety and Physical Education;  
and Family and Consumer Sciences

Dear Secretary Zogby:

Enclosed are the Commission's Comments which list objections and suggestions for consideration when you prepare the final version of this regulation. These Comments are not a formal approval or disapproval; however, they specify the regulatory criteria which have not been met.

The Comments will soon be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If you would like to discuss them, please contact my office at 783-5417.

Sincerely,

A handwritten signature in black ink that reads "Robert E. Nyce".

Robert E. Nyce  
Executive Director

evp

Enclosure

cc: Honorable Jess M. Stairs, Majority Chairman, House Education Committee  
Honorable Nicholas A. Colafella, Democratic Chairman, House Education Committee  
Honorable James J. Rhoades, Chairman, Senate Education Committee  
Honorable Allyson Y. Schwartz, Minority Chairperson, Senate Education Committee

# **Comments of the Independent Regulatory Review Commission**

on

## **State Board of Education Regulation No. 6-276**

### **Academic Standards and Assessment for Arts and Humanities; Health, Safety and Physical Education; and Family and Consumer Sciences**

**April 18, 2002**

We submit for your consideration the following objections and recommendations regarding this regulation. Each objection or recommendation includes a reference to the criteria in the Regulatory Review Act (71 P.S. § 745.5a(h) and (i)) which have not been met. The State Board of Education (Board) must respond to these Comments when it submits the final-form regulation. If the final-form regulation is not delivered by March 18, 2004, the regulation will be deemed withdrawn.

#### **Arts and Humanities**

##### **1. XXV. Table of Contents. – Clarity.**

We have identified the following inconsistencies between the Table of Contents and the format of the standards:

- Under Section 9.1., the Table of Contents lists standards A through H, but the text of Section 9.1. contains standards A through K.
- Under Section 9.2, the Table of Contents lists standards A through E, but the text of Section 9.2 contains standards A through L.
- Under Section 9.3, the Table of Contents lists standards A through E, but the text of Section 9.3 contains standards A through G.

In the final-form regulation, the lettering in the Table of Contents should match the lettering in the text of the standards. Additionally, the Board should ensure that the identifying title associated with each letter in the Table of Contents reflects the content of the corresponding standards in the body of the regulation.

##### **2. Section 9.1. Production, Performance and Exhibition of Dance, Music, Theatre and Visual Arts. – Clarity.**

Standard 9.1. lists the elements and principles of art forms that are included in the proposed standards. In its comments, the House Education Committee Staff (Committee Staff) suggests adding “style” in the list of principles related to music. We agree, given that “style” is included as a principle for dance and theatre.

Standards 9.1.3.H, 9.1.5.H, 9.1.8.H and 9.1.12.H refer to “issues of cleanliness related to the arts.” The phrase “issues of cleanliness” is vague. Based upon discussion with the Board staff, it

is our understanding that these standards refer to proper use and clean-up of artistic materials. Clarity would be improved if these descriptors were rephrased to specifically identify the activities encompassed by these standards.

Standards 9.1.3.J and 9.1.3.K require students to “know and use traditional and contemporary technologies.” Standards 9.1.5.J and 9.1.5.K require students to “apply traditional and contemporary technologies.” The difference between these standards is unclear. The phrase “know and use” and the term “apply” could be interpreted as synonymous. Examples of the types of skills required in each of these standards would help clarify the Board’s intent.

### **3. Section 9.3. Critical Response. – Reasonableness.**

Standards 9.3.3.A and 9.3.3.E require third graders to “recognize critical processes used in the examination of works in the arts and humanities” and “recognize and identify types of critical analyses in the arts and humanities.” In its comments, Committee Staff notes that these standards are higher-level processes and would be difficult for kindergarten through third grade students to achieve. Committee Staff states that these requirements are inappropriate. We agree and suggest that the Board reexamine inclusion of these standards at the third grade level.

### **4. Section 9.4. Aesthetic Response. – Clarity.**

Standard 9.4.5.B requires fifth grade students to “investigate and communicate multiple philosophical views about works in the arts.” Committee Staff has suggested, and we agree, that this standard is confusing and should be reworded to clarify its intent.

### **5. XXVII. Glossary. – Clarity.**

We have identified the following issues related to the terminology used in the Glossary and the text of the standards:

- The following terms are defined in the Glossary but are not used in the text of the standards: “arts criticism,” “arts integration,” “arts resources,” “assess,” “formal production,” “repertoire” and “synthesis.” If these terms are not included in the text of the standards, they should be deleted from the Glossary.
- The terms “aesthetic response” and “assessment” are used in the regulation, but not defined in the Glossary. Defining these terms would add clarity.

## **Health, Safety and Physical Education**

### **6. Section 10.1. Concepts of Health. – Reasonableness; Protection of the Public Health; Clarity.**

In its comments, the Pennsylvania Catholic Conference notes that education on sexually transmitted diseases is included in the sixth grade standards (Standard 10.1.6.E), but abstinence is not addressed until ninth grade (Standard 10.1.9.A). We agree that this apparent inconsistency is confusing.

Standard 10.1.6.E requires students to “identify and describe health problems that can occur throughout life.” It would appear that classroom discussion of *any* disease would logically include dialogue on how a disease is contracted *and* how it can be prevented. The Board should consider including disease prevention in both the sixth and ninth grade standards.

**7. Section 10.2. Healthful Living. – Clarity.**

Standard 10.2.3.A refers to “community helpers.” Clarity would be improved by defining this term in **XXX. Glossary.**

**8. Section 10.3. Safety and Injury Prevention. – Reasonableness; Protection of the Public Health, Safety and Welfare.**

The Pennsylvania Association for Safety Education commented that the proposed standards should be expanded to include driver education. It is reasonable to assume that most students will drive during their lifetime. Given the statistical significance of teenage motor vehicle accidents and fatalities, the Board should include a standard for classroom instruction of driver safety education.

**9. Section 10.5. Concepts, Principles and Strategies of Movement. – Reasonableness.**

Standards 10.5.3.B and 10.5.6.B address “the concepts of motor skill development.” In its comments, Committee Staff notes that these standards are highly analytical and would be difficult for third and sixth grade students to achieve. Committee Staff has suggested that the Board add clarifying language or delete these standards. We agree and suggest that the Board reexamine inclusion of these standards at the third and sixth grade level.

Standard 10.5.3.E. requires students to “know and describe scientific principles that affect movement....” This standard lists gravity as an example of a scientific principle. We question whether this standard is too advanced for the third grade level. In the Board’s existing science standards, the concept of gravity is not addressed until seventh grade in Standard 3.4.7.D. The Board should reconsider inclusion of this standard at the third grade level.

Standard 10.5.6.E requires students to “identify and use scientific principles that affect basic movement....” This standard lists Newton’s Laws of Motion as one of the scientific principles. Similar to our concern relating to the comparable third grade standard, we question whether this standard is too advanced for the sixth grade level. Newton’s Laws are not addressed until the tenth grade in Standard 3.4.10.C in the Board’s existing science standards. The Board should reconsider inclusion of this standard at the sixth grade level.

**10. XXX. Glossary. – Clarity.**

We have identified the following issues related to the terminology used in the Glossary and the text of the standards:

- The term “biomechanics” is defined, but the term used in Standard 10.5.12.E is “biomechanical principles.” The term defined in the Glossary should match the term used in the text of the standards.
- The terms “cardiorespiratory fitness” and “multi-media” are used in the standards, but are not defined in the Glossary. Defining these terms would improve clarity.
- The term “refusal strategies” is defined in the Glossary, but the term used in Standard 10.3.3.C is “refusal skills.” The term defined in the Glossary should match the term used in the text of the standards.

## **Family and Consumer Sciences**

### **11. Section 11.1. Financial and Resource Management. – Reasonableness.**

The Independent Insurance Agents of Pennsylvania, Inc. commented that the proposed standards should be amended to include a basic understanding of insurance concepts. We agree that every student will eventually be faced with purchasing an insurance policy of some type, such as car insurance, health insurance, or renter's or homeowner's insurance. Therefore, it would be reasonable to include basic insurance concepts in the standards.

### **12. Section 11.4. Child Development. – Clarity.**

Standard 11.4.3.A lists the stages of child development as: infancy; early childhood; middle childhood; late childhood; and adolescence. However, the definition of "child development stage" lists the stages as: infancy; toddler; preschool; school age; and adolescent. The discrepancy between Standard 11.4.3.A and the definition of "child development stage" should be resolved in the final-form regulation.

Standard 11.4.5.A contains a typographical error. The word "developmental" should be changed to "development."

### **13. XXXIII. Glossary. – Clarity.**

We have identified the following issues related to the terminology used in the Glossary and the text of the standards:

- The phrase "child-care provider considerations" is defined in the Glossary, but the phrase used in Standard 11.4.6.D is "considerations prior to selecting childcare providers." The phrase defined in the Glossary should match the phrase used in the text of the standards.
- The phrase "child development stage" is defined in the Glossary, but the phrase used in Standard 11.4.3.A is "stage of child development." The phrase defined in the Glossary should match the phrase used in the text of the standards. Additionally, clarity would be improved if the age ranges that correspond to the stages of development were defined.