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REGULATORY REVIEW COMMISSION

**Commonwealth of Pennsylvania**  
**STATE BOARD OF EDUCATION**

December 7, 2005

Dr. Theresa A. Prato  
Bucks County Technical High School  
610 Wistar Road  
Fairless Hills, PA 19030

Dear Dr. Prato:

Thank you for your letter of November 30, 2005 on proposed 22 Pa. Code, Chapter 4, academic standards and assessments.

Your letter is considered as official public comment and is being shared with all members of the Board. Pursuant to the provisions of the Regulatory Review Act, copies of your comments are also being provided to the Independent Regulatory Review Commission (IRRC) and the Chairpersons of the House and Senate Education Committees.

The regulatory Review Act provides that information on proposed and final regulations be mailed to public commentators at their request. If you would like to receive the final-form of these regulations when they are finalized, please make your request to me in writing at the address printed below.

Sincerely yours,

A handwritten signature in cursive script that reads "Jim Buckheit".

Jim Buckheit  
Executive Director

cc: Members of the State Board  
Senator Rhoades  
Senator Musto  
Representatives Stairs  
Representatives Roebuck  
IRRC

**Theresa A. Prato**

Bucks County Technical HS  
610 Wistar Road  
Fairless Hills, PA 19030

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November 30, 2005

State Board of Education  
333 Market Street, First Floor  
Harrisburg, PA 17126-0333

Dear Mr. Jim Buckheit:

This letter serves to provide you my comments and objections to the Proposed Chapter 4 Regulations for Academic Standards and Assessment as they appeared in the Volume 35 Number 5 of the Pennsylvania Bulletin on Nov. 5, 2005.

#### **Section 4.52. Local Assessment System**

*(c) (2) The proficient level on the local assessment shall be comparable to the proficient level on the PSSA.*

*(c) (3) The Department will determine whether a school entity is meeting the requirements of paragraph (2). School entities that use one or more local assessments for the purpose of determining whether a student is proficient as outlined in § 4.24(a) shall submit an annual report on a form and in a manner determined by the Department certifying the comparability or alignment between the PSSA and the local assessment or assessments and providing data specified by the Department to support the certification. The existence of significant numbers of students not achieving proficiency on the PSSA who are deemed proficient by a local assessment will raise an inference that the local assessment is not aligned with the PSSA or the PSSA's meaning of proficient. A school entity whose certification is rejected by the Department shall use the PSSA for the purposes of § 4.24(a) until the school entity receives Department approval that a local assessment or assessments meets the requirements of paragraph (2).*

*(c) (4) If the report and certification are not submitted as required, or if the Secretary is not satisfied with the form or accuracy of the report and certification that have been submitted by the school entity, the Secretary will exercise the powers under section 2552 of the School Code (24 P. S. § 25-2552) regarding withholding State appropriations, in a manner that is consistent with law, until the Secretary is satisfied that the school entity is in compliance with this chapter.*

I understand that HumRRO conducted a series of studies for the PDE related to the validity of the PSSA and produced a report with their findings. I have read the report thoroughly and am familiar with their findings. No where in that report does it state that the PSSA questions are racially, ethnically, socioeconomically, generationally and culturally **unbiased**. Nowhere in that report does it state that the PSSA questions are the **only** appropriate questions for measuring the academic content specified by the State Standards. Yes, the report states that "the scores produced by the PSSA correlate positively and significantly with pertinent scores produced on related tests such as Terra Nova, Stanford Achievement Test, etc." (Thacker 2004) But, that still does not address the question of whether the test **fairly** and **accurately** measures the ability of all, or even most students, to demonstrate their understanding of the content specified by the State Standards.

To propose that a local assessment is not aligned with the PSSA because more students are proficient in the local assessment than in the PSSA is nothing short of discrimination against students that cannot understand the questions in the PSSA because of its bias towards students with learning disabilities, students with cultural and socioeconomic differences and students that have different learning styles.

Consider the 11<sup>th</sup> grade Mathematics Assessment. The open-ended items on the mathematics assessment require students to not only correctly solve the problem, but to show all work and give a written explanation of how the problem was solved. Any student with a language disability or the inability to verbalize how they solve problems cannot get full credit on the question even if they solve it correctly. A local assessment might instead choose to present several different problems representing the same content and require the student to solve all of the problems.

Next, consider the 11<sup>th</sup> grade Writing Assessment. The current assessment provides a series of prompts that the student must use as the basis for essays to be written. The scoring guide does not require grade level vocabulary to be used in the essays. However, the prompts often include key words that are outside the vocabulary base of many students. These students may be very proficient at writing essays that have focus, illustrative content, organization and style and have acceptable control of grammar mechanics and spelling, but their essays receive lower scores because they did not understand what one or more prompts were saying. Worse yet, some students simply give up and do not write the essay because they have no idea what the prompt means and they do not want to look foolish by guessing. Yes, students consider no answer less embarrassing than writing the wrong answer. A local assessment might include prompts that are more appropriate for the community, language level and/or interests of the students yet still appropriately assess students understanding of the content in the State Standards.

Lastly, look at the 11<sup>th</sup> grade Reading Assessment. The topics of the reading passages are such that students give up on the reading simply because of lack of interest or use of words that are culturally or socioeconomically biased. They are outside the realm of many students' understanding. They may be able to read and comprehend information written at their grade level, but the vocabulary and topics are exclusionary and boring. A local assessment might include reading passages about things going on at school or in the community, or they might discuss topics that are currently of interest to high school students such as music, clothing, body art, sports, etc.

When addressing the question, "Does the PSSA adequately measure the academic content specified by the State Standards contained in Chapter 4", the report by HumRRO specifically states:

- *Item difficulty is not similar by type. Multiple-choice items tended to discriminate best at the lower and middle portions of the scale. Performance-task items tended to discriminate across the scale, with scores of 4 or 5 only reached by the very highest ability students.*
- *Content is not distributed evenly by item type. Content standards are written such that item type seems implied by the standard. For instance, all reading performance-task items carry a code for "reading, analyzing and interpreting literature." The standard is also assessed by multiple choice items, but it seems clear that an aspect of the standard is tied to students' ability to respond to the performance-task prompts.*
- *Some PSSA tests discriminate best (have the smallest error estimates) within the lower performance categories (Below Basic and Basic)*
- *Very few students score 3, 4, or 5 points on several mathematics performance-task items, often leading to item parameters that are difficult to interpret.*

And, despite the above-mentioned observations in the report, and the test deficiencies that I have pointed out, the proposed changes to Chapter 4 aim to mandate the PSSA as the ONLY adequate assessment if more students score proficient on local assessments than on the PSSA. As a classroom teacher that spends every day teaching and evaluating students, the concept of "my way or the highway" is in direct opposition to all that I have been taught. My years of post-secondary education and my experience in the classroom, especially teaching students with special needs, has taught me that the purpose of an assessment tool is to assess the students' understanding of the required

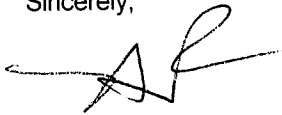
content, not "fake them out" or cause them to be so confused by the assessment tool itself that they cannot appropriately demonstrate their proficiency in the content. If students are continuously failing a given test, the appropriateness and effectiveness of the test need to be considered as much as the possible lack of proficiency of the students.

To make matters worse, Chapter 4 proposes to withhold state funding if too many students do not reach proficiency on the PSSA but reach proficiency on a local assessment because the local assessment must be "too easy". That is an insult to those of us that work very hard to create valid and appropriate assessment tools.

Many of us teach students that have learning styles that are in direct conflict with standardized tests. Many of us teach students that have learning disabilities that become magnified with certain types of questions or tasks. Many of us teach students whose abilities, efforts, knowledge and creativity are labeled useless and inadequate because they cannot score proficient on the PSSA. Is the PDE not willing to recognize the shortcomings of a single standardized test? The NCAA recognizes it by allowing for students with higher GPAs to score lower on the SAT and still be academically eligible to compete. Most accredited colleges and universities recognize it by not using the SAT as an exclusionary tool but rather one piece of a student's application. Why does the PDE feel the need to exclude students from graduating by putting so much emphasis on a standardized test...especially one that is so shortsighted?

Approving the proposed changes to Section 4.52 of the Chapter 4 regulations is a bad idea and will have disastrous results. The changes are so exclusionary and discriminating that they fail to accurately demonstrate the abilities of the students and instead magnify the disabilities of the students.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Prato', with a long horizontal flourish extending to the left.

Theresa A. Prato, M.Ed.  
Bucks County Technical HS Science Teacher