



Pennsylvania School Boards Association

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Mr. Shawn Farr, Special Assistant to the Secretary of Education  
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INDEPENDENT REGULATORY  
REVIEW COMMISSION

Mr. Farr:

The Pennsylvania School Boards Association (PSBA) would like to take this opportunity to submit comments on the proposed Keystone Educational Accountability Standards and Indicators (22 PA Code, § 405) as published in the *Pennsylvania Bulletin* on July 1, 2006. Our comments address both the standards and indicators and the process by which districts must conduct self-evaluations and receive reviews conducted by the state.

In reading through the list of indicators, one cannot help but be overwhelmed at their breadth. Almost every facet of a school district's operation is covered from providing an effective education, to communicating to the public, to maintaining its facilities, to maintaining an effective food service operation and transporting of students. We believe that the scope of these indicators is both the program's strengths and its weakness.

Few would argue with the goals of improving school district management practices and use of resources, identifying potential areas of cost savings and increasing public confidence in and support for public education. However, because of the extent of the indicators, we wonder how the Department of Education will find a firm that employs personnel who are able to perform comprehensive reviews on such a wide range of issues in a timely manner. Additionally, can the department find and employ a sufficient number of "experts" to help districts that are determined to be in non-compliance, especially if they need assistance in more than one area?

While the mandated self-assessment that districts must perform may not be expensive in terms of cost, it will require department heads and directors of various activities to spend a large amount of time and effort to produce the type of information required. This may force personnel to abandon, perhaps for long periods of time, their usual duties and responsibilities. This leads us to wonder what the best time of the year would be to do the self-assessment.

Again, because of the number of indicators, PSBA supports Section 405.1(b), which clarifies that the indicators represent the kinds of activities a district would be undertaking if it were using a particular best practice and are therefore not exclusive and literal compliance with each is not required to qualify for Keystone certification.

While appreciated, that language creates other questions. Will certain indicators carry more weight? Will certain ones be required, while others are not? If a school district is found to be in compliance with a standard, will it matter which indicators it uses?

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The process appears to require some degree of subjectivity on the part of reviewers, yet it is not clear that the proposal allows for this kind of flexibility. PSBA is aware, by its own experiences, that the commonwealth's 501 school districts do not operate alike and that districts interpret and execute their responsibilities differently. If all school districts are judged by the same criteria, there will likely be many that will be found to be out of compliance with the standards.

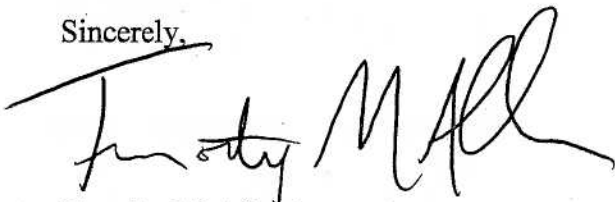
There is also some question regarding a school district's responsibilities. Several of the indicators regarding costs of certain programs contain statements that require districts to "monitor" or "periodically evaluate" program costs. Given that one of the goals of the program is to improve school district use of resources, would a district that finds that it can operate a program less expensively by contracting it out rather than using district employees be required to take the less expensive option? For school districts, costs may be one issue, but certainly not the only one to consider. The first issue is that the quality of the service or program must be maintained. Additionally, districts must consider the effects caused by the laying off of several school employees and how that could affect their collective bargaining agreements.

Also, Section 405.2 (3)(iv) calls for administrators and staff to be "held accountable" for achieving certain academic goals. In the context of public education, "accountability" means different things to different groups of people. To a school district, "accountability" could come in the form of a demotion, transfer or other action allowable in law. To a taxpayer or legislator, "accountability" may mean loss of job or a suspension. Whose notion of "accountability" would count, the school district's or someone else's? How would this interpretation be clarified?

Finally, PSBA would suggest changes in wording in each of the sections on the standards that recognizes the indicators as guidance and not as substantive requirements. Sentences that read, "Indicators of compliance include, but are not limited to, the following:" should read, "Indicators of compliance may include, but are not limited to, the following:" This change would better accommodate the intent expressed in Section 405.1(b) that compliance with all the indicators is not necessary.

Thank you for the opportunity to comment on this proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy M. Allwein". The signature is fluid and cursive, with the first name "Timothy" and last name "Allwein" clearly distinguishable.

Timothy M. Allwein  
Assistant Executive Director  
For Governmental and Member Relations

cc: Members, Senate Education Committee  
Members, House Education Committee  
Independent Regulatory Review Commission