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From: Louise L. Smith [louise.lis@verizon.net]
Sent: Wednesday, September 30, 2009 3:28 PM
To: IRRC
Subject: IRRC ISSUE # 2696 - State Board of Education Final-Form Reg. No. 006-312- Chapter 4 Regulations - "Keystone Exams"

Importance: High

September 30, 2009

Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
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INDEPENDENT REGULATORY REVIEW COMMISSION

RE: IRRC ISSUE # 2696
State Board of Education Final-Form Reg. No. 006-312
Chapter 4 Regulations - "Keystone Exams"

Dear Mr. Coccodrilli:

This letter is to oppose the State Board of Education (Board) Final-Form Regulation No. 006-312 which would revise the current Chapter 4 regulations and establish the "Keystone Exams". Among a number of concerns about Regulation No. 006-312 are the following.

The State Board of Education fails to demonstrate the need for this regulation. The PA Department of Education has announced the success of the current testing system, the PSSA, and explained to Pennsylvanians the academic improvements made by basic education students across the state.

The State Board of Education claims that new regulations are needed because many districts have failed to align instruction to the State Standards. They site finding from research begun in September 2008 to support this claim. However, it is unclear that the Penn State study was completed. Districts claim that it was not. Hence, no meaningful information can be drawn from it. While at the same time, state data does show the growth in student achievement.

Clearly, given student improvement, the claim cannot be made that a failure to align local assessment with state standards warrants hundreds of millions of dollars in new tests. However, if this is a valid concern, the Department of Education can address and support district alignment without new regulations. As established in Regulation No. 006-312, the "Keystone Exams" themselves are optional. The Regulations allow districts with the funds to do so to create various alternative forms of assessments and have them validated with state support at 50% of the cost. As alternate forms of assessment are considered viable by the Board; the Department of Education could complete the Penn State study and use the information on local assessments to provide technical assistance for Districts to improve those without enacting new regulations. There is no need for new regulations.

The State Board of Education fails to explain how districts are expected to implement the new regulations or why the Board believes this approach is reasonable. Over time, 10 "end of course" tests will be required. To allow time for scheduling school resources, students make

course selection around February. "End of course" exams will have to be taken in the late spring.

There is no way to predict how much will be required in the way of rescheduling and reassignment of professional staff, or other school resources based on student performance on the assessments.

Cut off scores on tests are arbitrary decisions that are monitored and adjusted to control results. Students who miss the cut off scores and who seek remediation and retesting in multiple areas face the possibility of a 5 or 6 year high school experience. It is unreasonable to place this systematic, official intimidation of stringent barriers to the high school diploma on students and the families of Pennsylvania.

Because the State Board has failed to demonstrate the need for or reasonableness of Regulation No. 006-312, I request that the IRRC disapprove the final form regulations.

Yours truly,

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