

2696

From: Lana S. [titlesearcher@epix.net]
Sent: Monday, October 19, 2009 9:34 PM
To: IRRRC
Subject: Comment on IRRC # 2696
Attachments: IRRC letter2.doc; WASD Resolution.pdf

Dear Chairman Coccodrilli:

Attached, please find our comment letter in regards to the the Keystone Exams, also known as IRRC # 2696 and our Resolution Opposing the Keystone Exams.

Respectfully,

Atalanta M. Shabloski
Wellsboro Area School District

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INDEPENDENT REGULATORY
REVENUE COMMISSION

19 October 2009

Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, Pa. 17101
RE: IRRC #2696

Dear Chairman Coccodrilli:

On behalf of the Wellsboro Area School District Board of Directors, I write to you in reference to the Torsella Proposal a/k/a Keystone Exams f/k/a Graduation Competency Assessments.

Original concerns were raised by the IRRC when reviewing the draft regulatory changes, and in our opinion, these concerns have not been addressed adequately by the State Board.

1. The regulation represents a policy decision of such substantial nature that it requires legislative review; legislative intent:

- a. Senator Orié introduced SB 281 that has now passed out of the Senate and is now in the House waiting to be acted upon.
- b. A Joint Concurrent Resolution, HR 456, was introduced by Representative Clymer and Representative Youngblood. HR 456 has 162 co-sponsors. Representative Roebuck, as a supporter of the Keystone Exams, refuses to move this in the House Education Committee.
- c. At this time, the Legislative intent cannot be clearer. Neither the final regulations nor the Keystone Exams themselves are consistent with the intent of the majority of the General Assembly.

2. Protection of the public health, safety and welfare:

- a. These exams are still a "high stakes exam" as they count as 1/3 (33.3%) of a student's final grade for a course. For those who do not reach a minimum cut score, they will receive a zero. They will NOT receive any credit for the work they earned on the test but will be given a zero. Example: If the cut score is 65% and the student scores 64%, they will receive a zero and not the 64%. That zero will count as 33.3% of their final grade.
- b. The result of this zero will unfairly distort the GPA/QPA for all students and will still target those students who are special needs, English Language Learners and other At-Risk students.
- c. Scoring of the tests will be done with the cut score that is set by the State Board. This cut score will not be the same or equal to the grading system of all school districts. Each school district sets the grading scale for its own district. Example: The State Board sets the cut score at 59% and below as an F. In District A, an F is a 69% and below. If districts have to change their grading systems to comply with the cut scores of these exams, instead of raising the bar, the bar will be "dumb-ed down," hence defeating the purpose of an exit exam.
- d. It is also unfair to have a student in AP Biology take a test that is the same for a regular education student. Again, a "dumb-ing down," which is supposedly not the intent of the keystones.

- e. AP & IB tests are given in May of each year. High schools determine student failures, summer school requirements, etc. before this time. Also, the scoring scale for AP exams are 0,1,2,3,4 or 5. How is this converted "fairly" to a percentage score to be utilized as 1/3 of a grade for determining the student's final grade in a course? The content of the AP course is driven solely by the curriculum audited by the AP Board and not necessarily the PA Standards.

3. **Fiscal Impact:**

Contrary to what the State Board has opined in its final regulation submittal, school districts do not have considerable resources to support this. We rely heavily on property taxes, ergo the taxpayer. Any costs to school districts are and will be placed squarely on the backs of the taxpayers.

- a. Funding formulas are not always equal. Guaranteed, every school district did not receive one billion in Basic Education Funding (the State Board purported \$5.23 billion in 08-09 for Basic Ed). With 500 school districts, that would be ten million-plus per district. Our district did not receive ten million). There are formulas in place for Basic Education money, Accountability Block Grants and Education Assistance Program funding. This allotment is different for each district. Some get more than others based on specific criteria (such as free and reduced lunch, poverty level, etc.)
- b. The following are just some of the additional costs that will affect school districts:
 - Curriculum Redesign
 - Text book purchases (for those districts that cannot afford to have their local assessments validated-which will be many or for whatever reason will have no choice but to use the Keystone Exams and the state model curriculum)
 - Remedial Costs, including but not limited to remediation for summer classes for the ten(10) subject areas, transportation of students for summer classes, record keeping, support services, supplemental supports
 - Effects this will have on collective bargaining agreements, including but not limited to extended school year for summer remediation teachers, hiring of new staff for the record keeping for summer classes
 - Testing and Retesting Administration, including but not limited to the dedication of personnel to the administration of 10 Keystone Exams, modules and/or local assessments, record keeping for regular school year for testing and retesting
 - Local Assessment Development & scoring
 - Cost of Bridge Project, including but not limited to implementation, maintenance, staffing, transportation, costs associated with scoring.
- c. The cost to school districts for validation has been roughly estimated by the State Board (based on initial estimates from the Center for Assessment in Dover, NH) local assessment reviews are expected to cost between \$2,500 to \$7,500 per district assessment system, depending on the format and quantity of materials submitted. District ½ costs would range from \$1,250 to \$3,750.

- d. The cost to school districts for development or strengthening of local assessments has been estimated by the State Board (based on estimates from the Center of Assessment) could easily **exceed \$25,000 per assessment**. In order to avoid this cost, near term start-up costs and ongoing costs associated with printing, scoring and reporting, school districts will opt for the Keystone Exams. The Keystones are touted as voluntary, but under these types of financial constraints, school districts will opt for the Keystone Exams to avoid costly bills for their districts and taxpayers. So it is a roundabout way of making something that is actually “mandatory” sound like it is voluntary when in reality the usage is “technically” mandatory in nature. The State Board stated: ***“The Department expects the number of districts utilizing local assessments will decline as new resources become available.”***

4. **Need for Regulation:**

- a. The IRRC noted that the Board failed to demonstrate the need for the regulation. The final form regulations still do not demonstrate this need.
- b. The IRRC also asked what types of corrective action Department has taken to improve the local assessments of the school districts that are failing. The answers to that are:
- The Department commissioned Penn State to perform a study of local assessments
 - Only 85% (418) school districts responded to the written request for copies of local assessments.
 - 18 school districts were deemed by the Commission to have a valid local assessment based on the criteria of the panel.
(Wellsboro Area School District being one of the 18 districts with a valid local assessment)
 - The Department has done nothing to improve the local assessments of the school districts that are failing and/or have local assessments that were deemed not valid by the committee. There are 18 models by which to use as examples for the State Board in helping other districts in the state.
 - The Board has failed to demonstrate why they cannot use this information to provide technical assistance to districts to help them improve local assessments without enacting regulations.
 - The IRRC stated in its letter of 07/16/2008 to the State Board: ***If the Board determines that regulatory changes are needed, it should consider administering those changes on a case-by-case basis, not as a statewide mandate.*** This statement is as pertinent & relevant today as it was on 07/16/2008.
 - In the final regulations, the State Board offers to “provide schools with a voluntary model curriculum, diagnostic support, technical guidance, etc. in developing local assessments that meet the requirements of subsection 4.24(B)1(IV)(B). The Board could just go ahead and do this without implementing a new test or series of exams.

5. **Reasonableness of implementation:**

- a. The final form regulations do not contain an explanation of how a school district is expected to implement this or an explanation of why the State Board believes this is a reasonable approach.
- b. With the tracking systems that are already in place, including but not limited to PVAAS, Study Island, AIMSWEB, 4Sight, we know which students are not performing well and in which subjects, and we can refocus our efforts in a different, more helpful direction that will best help our students.
- c. Through the National Student Clearinghouse, with which Pennsylvania has partnered, we will be able to track college success of our high school graduates.

6. Keystone's to replace PSSAs:

The State Board of Education has said that it will request approval from the U.S. Department of Education that Pennsylvania be allowed to use the Keystone Exams to eliminate and replace the 11th grade PSSA test only. All other PSSA tests will continue to be used in the other grades. If this happens, students in grades 3-8 will continue to take the PSSA tests until 11th grade, when they will be offered a "new" test, UNLESS they have already taken the Algebra 1 Keystone Exam in 8th grade and passed it. According to the State Board, the student has already met a part of the criteria for graduation by taking this exam. If this is the case, the AYP will be counted in the current grade in which the Algebra 1 Keystone was taken {in this case 8th grade}. The exam result will not be held for AYP purposes for the 11th grade. So what do we test in 11th grade for AYP purposes? We cannot ask the child to retake the Algebra 1 exam again in the 11th grade. If the Keystone Exams replace the 11th grade PSSAs, then the Keystones cease to be voluntary tests and become a mandatory, high stakes test. The PSSAs do not count as a grade like the Keystone Exams would be nor are the PSSAs high stakes exit exams like the Keystones would be.

7. Statutory Authority:

The IRRC has called upon the State Board to address the IRRC's concern on whether the State Board has the authority to determine specific graduation requirements. The State Board has failed to address this concern.

In conclusion, we feel that the State Board has failed to address the concerns of the IRRC. Based upon this opinion, we respectfully request that the IRRC Committee disapprove the final form regulations.

Respectfully Submitted:

Atalanta M. Shabloski, Legislative Representative
Wellsboro Area School District
Board of Directors

For and On behalf of the Wellsboro Area School District Board of Directors:

Glenn Poirier, President

Atalanta Shabloski, Asst. Board Secretary

Charles Borden

Dennis Crumb

Anna Vail, Vice President

Albert Bieber

Todd Coolidge

Jonathan Lawton

Attachments: WASD Resolution Opposing Keystone Exams

**RESOLUTION OPPOSING THE PROPOSED KEYSTONE EXAMS
BY THE BOARD OF DIRECTORS
OF THE WELLSBORO AREA SCHOOL DISTRICT**

WHEREAS, the Pennsylvania Department of Education had approved a proposal to revise the current high school graduation requirements under the Chapter 4 regulations to require students to pass a series of standardized high stakes Graduation Competency Assessments in order to get a diploma; and

WHEREAS, the General Assembly of Pennsylvania placed a one year moratorium on the State Board prohibiting them from implementing regulations to establish GCAs or proceeding any further with them without the sanction of the General Assembly; and

WHEREAS, the State Board has ignored the one year moratorium placed on them by the General Assembly under Act 61 of 2008 which prohibits the establishment of high school graduation requirements and issued Requests for Proposal for the GCA tests in August 2008, which will now be known as the Keystone Exams. The State Board is ready to award a contract when the one year moratorium expires; and

WHEREAS, the State Board and the Pennsylvania School Boards Association have entered into a joint agreement that would replace the highly controversial and highly objectionable GCA proposal with an alternate proposal that is also highly controversial & highly objectionable, known as the Keystone Exams; and

WHEREAS, there is a broad requirement for local assessments to be aligned with the state academic standards and include performance level expectations to be comparable to the PSSA or Keystone Exams; and

WHEREAS, the Keystone Exams proposal permit schools to use a local assessment option, these local assessments must be validated in order to be used. The proposal states that, "*PDE will establish a Local Assessment Validation Committee to develop criteria for the validation process and criteria for the selection of approved validation entities...The committee's criteria for the validation process and criteria for selection of validation entities will be submitted to the State Board of Education for approval or disapproval.*" The cost of validation is to be evenly divided between the district and the State Board; and

WHEREAS, the costs associated with validation will be an additional burden to school districts and taxpayers across this state, and the proposal requires school districts to absorb many new costs related to revising curriculum, professional development, test preparation and administration, remediation and other costs; and

WHEREAS, the State Board has noted that the cost for the development and implementation of these exams would cost \$210 million dollars over the next 7 years and in light of the economic times in this Commonwealth and the nation, the Governor, the State Board and the Pennsylvania School Boards Association should not be adding an additional expense to districts and taxpayers and with the limitations of Act 1 on tax increases, school districts have limited ability to fund any potential new costs; and

WHEREAS, the State Board has already sent out the preliminary revisions to the current Chapter 4 regulations in regard to the Keystone Exams, these new regulations leave many unanswered questions and much ambiguity; and

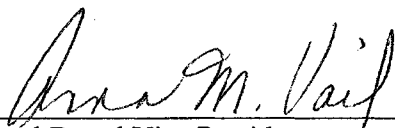
THEREFORE, BE IT RESOLVED that the Board of Directors of the Wellsboro Area School district oppose the joint proposal between the State Board and the Pennsylvania School Boards Association to enact the Keystone Exams. With the additional costs to school districts and taxpayers, school districts will implement and use the Keystone Exams thereby making the Keystone Exams mandatory, as school districts may find that they have no alternative but to choose the Keystone Exams due to cost and complication related to the validation process; and

WHEREAS, the Board of Directors of the Wellsboro Area School District will hereby continue to support legislation to extend the moratorium as well as any legislation against any new test development or implementation and funding being used for this purpose; and

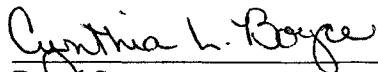
WHEREAS, this resolution will be shared with the State Board of Education, the Pennsylvania School Boards Association, state legislators including local legislators and members of the Senate and House Education Committees and any others as this board directs; and

FINALLY, BE IT RESOLVED that the Board of School Directors of the Wellsboro Area School District hereby directs the Superintendent and Board President to communicate this resolution to other school districts within the Commonwealth of Pennsylvania and to members of our community, encouraging other school boards and individuals to take similar action on this issue.

ADOPTED this 14th day of April, 2009



School Board Vice President

Attest:


Board Secretary (SEAL)