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October 20, 2009

The Honorable Arthur Coccodrilli, Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Chairman Coccodrilli:

In accordance with the provisions of the Regulatory Review Act, I am submitting these comments with respect to State Board of Education's final-form regulation #006-312 – Academic Standards and Assessments.

Republicans have consistently been supporters of systems and tools that provide accountability within the educational system and successful results for our children. The issues related to the current proposal are not with respect to accountability and testing, but issues of efficiency and effectiveness. To date, we have been unable to state our concerns with the proposal and offer our assistance towards moving to a system of measurement and continuous improvement, all focused on better educating our children.

It has frequently been stated that the submitted proposal is a compromise, which took into account the intent of the General Assembly. With respect to the input of House Republicans, State Board Chairman Joseph Torsella met individually with myself, Republican Policy Chair Stan Saylor and House Education Republican Chairman Paul Clymer. A member of my staff was present at all three meetings and has agreed with my assessment that the meetings focused more on the missteps of the process for these proposed regulations and very broad principles of testing rather than a substantive discussion of issues and philosophies.

In any case, a major concern discussed at my June 23rd meeting was the magnitude, duplication and use of data with respect to the current testing efforts within our schools; some of which are administered as a condition of receiving grant funds from the Commonwealth. Subsequent to the meeting, information was sent to Mr. Torsella regarding the amount of testing in schools, including 2001-02 school year assessment data by school district. In response, Mr. Torsella responded that he felt "the replacement of the PSSA with the Keystones will go a long way to easing the testing burden on districts, at least from the state." He also noted surprise as to "how much of that testing burden is locally generated, or college-related."

This observation is confirmed by the Penn State Local Validity Study. The study found that in the high schools in participating school districts, 60 different standardized assessments were utilized and in total, more than 1,000 different types of assessments were in use in our high schools. If that amount of testing is administered in high schools, and students are not ready for college or the workplace, testing is not the issue nor is it the answer.

Secondly, Pennsylvania is one of three states to have in place a statewide value-added assessment system (PVAAS). PVAAS applies a numeric leveling approach, accessing a student's academic records to measure each individual student's growth over the course of the academic year and sets a course for improvement in areas needing extra assistance. A student is measured against himself, the same cohorts of students are reviewed so that school districts and its leaders have the data available to localize weak curriculum and reward and/or intervene with underperforming teachers.

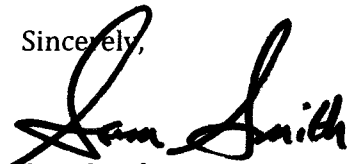
The Commonwealth received federal approval in January 2009 to use this growth model in calculating its average yearly progress as part of the mandated single accountability system. Furthermore, the Obama Administration is using the value-added approach as one of the core pillars in its education reform efforts. Pennsylvania is well positioned to be a leader with this number-crunching approach for improving education.

Why would the Commonwealth undertake a new, expensive and controversial initiative when our single accountability system, which accesses current assessments results (both State and local), received approval less than a year ago to move to a system which, specifically references the need for additional approvals from the federal government?

The suggestion I made at the June 23rd meeting with Chairman Torsella was to take a step back: to evaluate the amount and purpose of the testing that is currently done; to examine what is or is not being done with the results in order to better focus the instructional decisions being made within our schools; and to create an accountability procedure throughout the system that ensures that our children have the basic skills to read, write and do mathematics and to understand the base concepts of the core subjects. Such a system would ensure our children are prepared to enter the world, whether it be through college, work or global competition and should be the focus of any assessment system reform in Pennsylvania

Because the principles of efficiency and effectiveness are not reflected in the Keystone Exams proposal, I respectfully request the Commission disapprove the State Board of Education's regulatory package 6-312. We need to give our teachers time to teach, and our children time to learn by establishing a rational strategy of assessment and accountability.

Sincerely,



Sam Smith
Republican Leader

Cc: Representative Paul Clymer, Republican Chairman
House Education Committee
Republican Education Committee Members