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March 11, 2009

Mr. Jim Buckheit  
Executive Director  
State Board of Education  
333 Market Street  
Harrisburg, Pa. 17126-0333

RE: High Stakes Graduation Testing Testimony  
Arc of Greater Pittsburgh/ ACHIEVA

Dear Mr. Buckheit,

This written testimony is submitted on behalf of the Arc of Greater Pittsburgh, a member of the ACHIEVA family. ACHIEVA is western Pennsylvania's largest provider of comprehensive services and supports for children and adults with disabilities and their families. Each year approximately 7,000 individuals and their families come to ACHIEVA for assistance and support. ACHIEVA's Educational Advocacy department provides support for children and students from birth through 21 who are eligible for special education services under the Individual's with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. Our goal is to help students with disabilities progress on their educational goals. This history of advocacy for students gives The Arc of Greater Pittsburgh a unique valuable perspective on the proposed Graduation Competency Assessments (GCA's) and/or Keystone exams. With those students in mind, we have a few points that we hope to convey in opposition to the proposals.

Tim Allwein, Pennsylvania School Board Association (PSBA) Governmental and Member Relations representative, recently stated accurately that the proposed GCA's have been a divisive issue within the basic education community for almost two years. While this is certainly true, students with disabilities have a strong stake in the outcome of this debate, and advocacy voices for this population have fallen on deaf ears, our concerns have been marginalized and our comments have gone unaddressed. While the new proposed Keystone exams address of few of our concerns, many still exist.

1. In the climate of today's economy and with the current Governor's Budget of 09-10 just released, we believe that resources necessary to develop, implement, and maintain these assessments would be better utilized to support the current educational system, especially in light of a proposed 0% increase in state funds for special education programs. Regular education for K-12 is slated to receive a 5.7% increase in funding. In addition to the financial implications, teachers, paraprofessionals and the other personnel required to administer, score and facilitate additional tests will be diverted to these assessments. There is nothing apparent in the proposed Keystone exams that will address this significant cost issue. Although they will be "optional" for a school district, the state will still be investing huge sums of monies in their

development, but the utilization return will be less if schools are not required to use them. If a school district opts for the alternative assessment tool option, there will be the additional cost to the state for the review panel for alternative assessments, as well as the 50% cost of local assessment test development that they have now offered to share with districts.

2. The tests, if offered by a district, will still have to be offered three times per year in each proposed (10) subject areas. The tests will still be broken down into modules, and if a student does not score proficient on a particular module, they may re-take only that section. The administrative burden on time and finances for local school districts which opt in has not decreased.
3. The teacher time it will take to administer, monitor, grade, calibrate, track and remediate the tests will still be enormous. These tasks will take away classroom time and a teacher's creative energy necessary to include students with disabilities who may have opted out of the exams at the recommendation of the Individualized Education Programming teams. Teacher focus will be on teaching students taking the exam to pass the exam, rather than teaching contents of instruction in an inclusive manner to all students. The Gaskin settlement agreement with the Pennsylvania Department of Education has mandated intensified efforts to educate students with disabilities in the regular educational environment. The implementation of Gaskin mandates have been complicated, and new graduation assessments for students without Individualized Educational Program's, whether they be GCA tests or Keystone exams, may create yet another barrier to full, meaningful inclusion and may marginalize those students with special learning needs who are in inclusive settings.
4. In the "Keystone" version of the proposed Chapter 4 amendments, the rules regarding the specific accommodations available for students with disabilities who wish to take the exams are unclear. Section 4.25 (e)(8) states that "The department will provide guidance to school entities as to the appropriate accommodations school entities shall provide to students with disabilities and English language learners, where appropriate". There is no specificity in the proposal as to what these accommodations will be, what this guidance will look like and who will have the final say in determining appropriate accommodations.

In the "GCA" version of the proposed Chapter 4 amendments, IEP teams would be allowed to exempt special education students from scoring proficient to graduate, but did not provide for them to be exempt from taking the exams.

5. Under the GCAs, by allowing the IEP team to exempt students from scoring proficient on the GCA's in order to graduate, the system may become overwhelmed by parents and families attempting to have their students identified as needing an IEP. These are the students who perhaps score poorly on standardized tests or have challenges with a specific learning disability, who can be successful when supported by specialized service. While the proposed Keystone exams mitigate some of this potential consequence by allowing for additional, multiple testing formats, there is nothing to indicate that marginally performing students will not be seeking IEP's in order to opt out, thus taxing an already overburdened and underfunded special educational system. Again, this is diverting scarce resources from the students who truly need the special education services.
6. If a student in special education does not take a specific academic course, and their school district has chosen to participate in the Keystone exams, will he be required to take that particular Keystone exam (or the GCA)? If they take an academic course in a regular classroom with support from a special education teacher or paraprofessional, is that student in a special education program? The regulations are unclear about many areas of exemptions and remediation. The proposed new Keystone exams amendments do not answer these questions.
7. We do not believe that requiring students to take yet another standardized test or series of standardized tests will result in better educational outcomes. Overwhelming research data has supported this. We fear that those students who have divergent learning and performing styles, and who cannot easily be accommodated on the test, despite the availability of alternative formats, will be the future dropouts of the Commonwealth, thereby increasing the burden on all taxpayers.
8. Finally, the new proposed language for 22 Pa Code Chapter 4 still does not embed the language requested by special education advocates, which includes language recognizing access and accountability issues for students with special needs. I have attached the proposed Chapter 4 draft prepared by the VALUE coalition last year for your reference.

The Arc of Greater Pittsburgh/ACHIEVA has been an active participant in this process since the beginning. We signed a joint statement, along with 24 other educational organizations last April in opposition to the GCA's. The Arc of Greater Pittsburgh/ACHIEVA believes that more

consideration and research needs to be completed on how other states have implemented these assessments and met the challenges of students in special education. What have been the results and consequences to these students?

Although several other alternatives to the Graduation Competency Assessments have been proposed recently, including the Keystone exams, The Arc of Greater Pittsburgh/ACHIEVA supports the use of local assessment systems that provide a variety of local graduation standards, determined by the school district. The proposed Keystone exams make a step in the right direction and restore some autonomy to the local school districts. However, the considerations for students with disabilities have still not been adequately addressed. The system of PSSA tests that are administered currently provide for modified academic standards and accommodations, but are not available on the GCA's, and it is unclear if they are available under the Keystone proposal. Perhaps a better use of resources would be to evaluate the local assessments and study the effectiveness of the PSSA and PASA tests.

Thank you for the opportunity to testify and we welcome the chance to be a part of the continuing dialogue on affording all students in the Commonwealth the right to a free and appropriate public education.

Sincerely,

A handwritten signature in black ink, appearing to read "Paula Lackore Rule". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paula Lackore Rule  
Lead Disability Advocate  
Arc of Greater Pittsburgh/ACHIEVA  
711 Bingham Street  
Pittsburgh, Pa. 15203