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**From:** Winston and Nicki Cleland [wcleland@pa.net]  
**Sent:** Tuesday, August 18, 2009 10:19 AM  
**To:** IRRC  
**Cc:** vito forlenza; Susan Bickford; Rina Vassallo; paul healey; Nina Zetty; Mike Speziale; mary wolf; Paul Chmara; mary desmone; barbara cozza; linda lemmon; Larry Korchnak; Larry Kessler; Kathleen Conn; Judy Zaenglein; john sechriest; joe goodnack; Jim Warnock; Jeffrey Taylor; jay burkhart; Janet Baker; gary robinson; Franny McAleer; Ed Bureau; Douglas MacBeth; diane eicher; denise meister; Dean Maynard; Christie Butterfield; Brian Griffith; Bethany Bosold; barbara miller; Dixie Winters; Cathy Cubelic  
**Subject:** Comments on the final form Academic Standards and Assessment Regulations  
**Attachments:** PASCD Opposes Revised Keystone Proposal.doc; Testimony before the State Board of Education.doc; State Board letter on Keystone exams.doc

On Behalf of the Pennsylvania Association for Supervision and Curriculum Development, PASCD, I am submitting comments to the final form Academic Standards and Assessment Regulations (IRRC # 2696). The PASCD Position Statement, testimony presented to the State Board Of Education on August 12, 2009, and a letter to James Buckheit for distribution to the State Board are attached. These documents outline the reasons for PASCD's opposition to the proposed regulations. There are substantial "hidden costs" to these regulations. School districts will need to purchase additional textbooks, material and supplies. The average cost of a textbook exceeds \$75.00. Districts will have to buy more than an additional one hundred thousand textbooks before scheduled purchases as a result of these regulations as there are ten courses included in the new Keystone Exam Program. The cost of textbooks alone will be more than \$8,000,000. The cost of materials and supplies will be over \$3,000,000. Teacher training and the scoring of the alternative assessments will be several million dollars. The cost of remediation will be millions of dollars.

These costs amount to a huge unfunded mandate and come at a time where there is no State budget and the equity funding formula will probably not be continued. The burden of these regulations will fall disproportionately on poor rural and urban districts. We ask the IRRC to consider our comments.

Winston E. Cleland  
PASCD Analyst

11/18/09  
10:19 AM  
Winston E. Cleland

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**PASCD Opposes Revised Keystone Proposal  
July 10, 2009**

PASCD has reviewed the revised Keystone Exams Proposal that will be acted upon by the State Board of Education and cannot support these proposed regulations at this time. PASCD appreciates the dialogue that the state Board and the Pennsylvania Department of Education has initiated and accepts that this revision includes several significant compromises on the part of the State Board and PDE.

However, PASCD has serious concerns with three significant parts of the Proposed Keystone Exams.

1. Students scoring below basic will receive no points on the exam. The possible result for some students is that they might have an 85% average for the course, score below basic on the final and receive a grade of 57%  $((85+85+0)/3=57)$  and fail the course. The students will have to retake the test or the modules they failed.
2. The exams will count 33% of the course. Most high school final exams count 10% to 20% of a course.
3. Wealthy and larger districts will be more able to design and locally validate alternative local assessments. Although PDE is required to pay one half the cost of validation many smaller or poorer districts will not have the expertise or money to develop locally validated assessments.

PASCD believes that these major parts of the Keystone Exam Program will result in a negative impact on students who do not respond well to standardized tests, on students identified as needing special support and students who do not have access to an equitable and adequate education.

PASCD members are willing to continue a dialogue that will result in improving the achievement of all children.

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Testimony before the State Board of Education: August 12, 2009

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COMMUNICATIONS SECTION

I am presenting information on behalf of the Pennsylvania Association for Supervision and Curriculum Development, PASCD. We are the people who will be implementing the Proposed Keystone Exams Regulations.

I am distributing a copy of the PASCD Position Statement and the letter I sent to Jim Buckheit for distribution to the Board. This letter contains a series of questions that we think should be considered before the regulations are adopted. I would like to thank Board President Joe Torsella and Jim Buckheit for listening to us and attempting to respond to the concerns that we have raised.

PASCD still has three serious concerns with the proposed Keystone Exams Regulations.

1. Students scoring below basic will receive no points on the exam. The possible result for some students is that they might have an 85% average for the course, score below basic on the final and receive a grade of 57%  $((85+85+0)/3=57)$  and fail the course. The students will have to retake the test or the modules they failed.
2. The exams will count 33% of the course. Most high school final exams count 10% to 20% of a course.
3. Wealthy and larger districts will be more able to design and locally validate alternative local assessments. Although PDE is required to pay one half the cost of validation many smaller or poorer districts will not have the expertise or money to develop locally validated assessments.

I want to raise one fundamental question today. How will poorer districts deal with the hidden costs of these regulations?

The local cost of texts, materials, teacher training and teacher remediation and testing

Time will be significant. Where will districts fund these significant costs?

Will the State allow an exception to Act 1 for funding these regulations?

These regulations will have the largest impact on poorer districts. In a small poor school district one mill might raise \$25,000. The cost of texts, materials, teacher training, and teacher time for remediation and testing will easily be \$100,000. This is 4 mills/year.

These regulations will require a much higher percentage of the budget and more local taxes in small and poor districts than in wealthier districts. Act 1 may not allow these districts to raise taxes at all. What do these districts do to meet the regulations and help their students prepare for the exams?

These regulations are being approved when there is NO school-funding proposal in place and the possibility of continuing to implement the equity formula is becoming smaller each day. There is no budget and no funding formula. Where will poor districts get the money to pay for the materials, texts, teacher training and teacher time necessary to implement the Keystone Exams?

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Winston E. Cleland, PhD  
PASCD Policy Analyst  
308 Summit View  
Carlisle, PA 17013  
(717) 249-2096  
wcleland@pa.net

DEPARTMENT OF  
EDUCATION  
STATE BOARD OF EDUCATION  
333 MARKET STREET  
HARRISBURG, PA 17126-0333  
TEL: 717-705-3333  
WWW.PAEDU.EDU

Dr. James Buckheit  
Executive Director, State Board of Education  
State Board of Education  
333 Market Street  
Harrisburg, PA 17126-0333

July 22, 2009

Dear Dr Buckheit,

I am writing this letter to The State Board of Education on behalf of the Pennsylvania Association of Supervision and curriculum Development (PASCD) to present PASCD's position on the Proposed Keystone Exams Regulation that will come before the Board at its August meeting. The position is attached. You will note that we appreciate the willingness of Mr. Torsella and State Board Staff to listen to our concerns and attempt to develop a compromise with the educational groups in the creation of the proposed final regulations. However, we still have three major concerns outlined in our position statement.

We also have a series of questions regarding the complex administrative, organizational and logistical issues that should be addressed before the regulations are formally approved. A sample of these questions follows. What is the research showing that high stakes testing improves achievement? What are the real costs to districts of teacher training, administrating and scoring the alternative project? What are the costs to districts to develop and implement remedial programs for students who fail the Keystone Exams? What are the costs to districts to implement a statewide curriculum? These costs will include texts and materials, teacher training, etc.. Will students have ready access to retaking a failed Keystone Exam or module of the exam? Will students, especially juniors and seniors, have enough time to complete the remediation and retake the exam or exam module in a timely manner? Can PDE meet the schedule outlined in Section 4.51.f.5? If not, graduation will be delayed for a group of students due to logistical issues. Will the final course grades for transcripts be determined from the Keystone Exam score if the students do not reach basic on the retest process and must complete the bridge projects? Will transcripts reflect a course grade of incomplete until students successfully retake a Keystone Exam or module of the exam they failed or complete a bridge project? It will be difficult to complete the regional scoring of the alternative assessments in a timely manner. How can this scoring be completed for seniors to graduate on time? Why can't the alternative exams be scored locally with protocols provided by PDE? Will districts have the option of setting a local policy regarding students being able to test out of courses by taking the Keystone Exam? How many times may students try to test out of a course by taking the exam? In rural and small districts there are few certified biology, chemistry and math teachers. If the professional staff will not work in the

summer how will districts recruit certified teachers to provide remediation in these subject areas? Will there be regularly scheduled invitations to the public to discuss the many administrative and organizational challenges that will arise during the implementation process? Will planning for the implementation be based on research on similar programs?

PASCD has not had the opportunity to review the proposed final regulations. Its members have not been able to seriously analyze the practical issues and ask additional questions about implementing these regulations. The questions our members identify might be helpful in assuring the regulations are successfully implemented.

I am sure that there are many other serious practical questions regarding the implementation of these regulations and I encourage the State Board of Education to give the educational community time to review the regulations and develop a dialogue with the Board and the Department of Education before approving final regulations. Approving complex regulations before they have been carefully reviewed by the people charged with implementing the regulations often result in painful unanticipated consequences.

I am asking that you share this letter with the State Board members.

Sincerely,

Winston E. Cleland  
PASCD Policy Analyst

Cc: PASCD Board