



2696

Senate Education Committee

Senator Jeffrey E. Piccola
Chairman

Room 173 Capitol Building, Senate Box 203015, Harrisburg, Pennsylvania 17120-3015 • 717-787-6801 • 717-783-3722

August 26, 2009

Arthur Coccodrilli
Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

RECEIVED
2009 AUG 26 PM 2:03
INDEPENDENT REGULATORY
REVIEW COMMISSION

RE: State Board of Education Final-Form Reg. No. 006-312

Dear Chairman Coccodrilli:

We are writing to advise you of our strong support for the State Board of Education Final-Form Regulation No. 006-312 that establishes statewide end-of-course testing requirements and voluntary use of Keystone Exams.

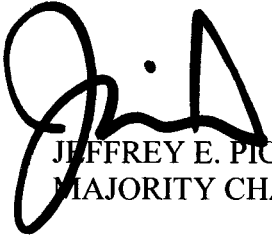
Please be advised that in an extraordinary move to ensure appropriate legislative vetting, the Senate Education Committee approved Senate Resolution 156 by a vote of 10-1 on July 28, 2009. We jointly sponsored this "Sense of the Senate" resolution in response to the common ground plan developed by the Chairman of the State Board of Education, Joseph Torsella, directly basing the resolution's contents upon the actual regulatory language that Chairman Torsella presented to our committee at a public hearing on July 14, 2009. As you know, the State Board of Education, of which we are members, approved this regulation by a 14-2 vote with three of the four Chairmen of the Senate and House Education Committees voting for the regulation at the August 12, 2009 Board meeting.

Our support for this regulation follows months of public hearings and meetings with interested stakeholders, and is based upon our strong belief that this regulation is in the public interest and in the interests of the students, parents and taxpayers who fund public education in our Commonwealth at an annual cost of over \$23 billion. The regulation ensures accountability for Pennsylvania's high school diploma while also preserving the important principle of local control.

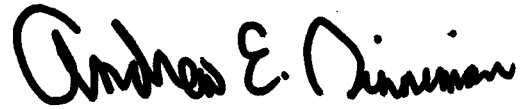
A copy of Senate Resolution 156 is attached for the Commission's convenience and reference. Please do not hesitate to contact our staff: Dave Transue for Senator Piccola and Eileen Flinn for Senator Dinniman.

Thank you for your consideration of our views in this matter.

Sincerely,



JEFFREY E. PICCOLA
MAJORITY CHAIRMAN



ANDREW E. DINNIMAN
MINORITY CHAIRMAN

Cc: Senate Education Committee Members
The Honorable James Roebuck
The Honorable Joseph Torsella

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 156 Session of 2009

INTRODUCED BY PICCOLA AND DINNIMAN, JULY 23, 2009

SENATOR PICCOLA, EDUCATION, AS AMENDED, JULY 28, 2009

A RESOLUTION

1 Encouraging the State Board of Education to adopt the final-form
2 regulation, Reg. No. 006-312, establishing new high school
3 graduation requirements, and development of voluntary
4 Keystone Exams for use by school districts in this
5 Commonwealth to ensure our high school graduates are ready to
6 compete in the 21st century in our global economy and succeed
7 in the arena of higher education.

8 WHEREAS, A February 2009 study by The Pennsylvania State
9 University found that many of this Commonwealth's 500 school
10 districts failed to appropriately measure whether their students
11 can perform at the 11th grade level in reading and math in order
12 to award high school diplomas; and

13 WHEREAS, One in three high school graduates requires
14 remediation in math or English in the Pennsylvania State System
15 of Higher Education universities and community colleges, costing
16 taxpayers \$24 million annually; and

17 WHEREAS, In the 2006-2007 school year, 43% of the students
18 who graduated from Pennsylvania high schools had not scored at
19 grade level in the 11th grade math and reading Pennsylvania
20 System of School Assessment (PSSA); and

21 WHEREAS, Pennsylvania began moving toward a system of

1 accountability in public education with Executive Order 1996-6
2 on September 30, 1996, which formed the Governor's Advisory
3 Commission on Academic Standards; and

4 WHEREAS, This strong commitment to building accountability
5 has been bipartisan through Republican and Democratic
6 administrations; and

7 WHEREAS, The first set of standards, Reading, Writing,
8 Speaking and Listening and Mathematics, went into effect January
9 16, 1999; and

10 WHEREAS, The PSSA was developed in the 2000-2001 school year
11 to assess the academic standards and became the mechanism by
12 which the Commonwealth complies with the No Child Left Behind
13 Act of 2001 (NCLB); and

14 WHEREAS, As a natural extension of the creation of the
15 standards and first level of assessments in the system of
16 accountability for the almost \$23 billion of Federal, State and
17 local dollars spent each year on public education, the State
18 Board of Education in May 2007 announced its plans to consider
19 the development of Graduation Competency Assessments (GCAs); and

20 WHEREAS, From May 2007 through May 2008, the State Board of
21 Education held 22 meetings and public hearings with legislators,
22 parents, teachers, students, administrators, school board
23 members, business leaders and taxpayers and heard testimony and
24 concerns regarding GCAs; and

25 WHEREAS, In May 2008, the State Board of Education published
26 proposed regulations implementing GCAs and received 934 letters,
27 e-mails and resolutions in response to the proposed regulations;
28 and

29 WHEREAS, From May 2008 through May 2009, the State Board of
30 Education had 15 additional meetings and public hearings and

1 many informal discussions with education stakeholders, parents,
2 business leaders, students and taxpayers; and

3 WHEREAS, From February 2009 through July 2009, the Education
4 Committee of the Senate held three public hearings on GCAs; and

5 WHEREAS, As a result of the debates and deliberate
6 discussions arising out of the many meetings, public hearings,
7 informal discussions and legislative hearings, the chairman of
8 the State Board of Education engaged in developing a compromise
9 proposal in an attempt to find a resolution to the contentious
10 issue; and

11 WHEREAS, In July 2009, the chairman of the State Board of
12 Education announced a compromise on GCAs developed after
13 conversations with at least 60 legislators and education
14 stakeholders providing for development of voluntary Keystone
15 Exams; and

16 WHEREAS, The resulting compromise has the potential to
17 accomplish three purposes, serving as an end of course
18 examination in ten subject areas, satisfying NCLB Adequate
19 Yearly Progress requirements and replacing local assessments
20 where a school district voluntarily chooses to adopt the use of
21 the Keystone Exams; and

22 WHEREAS, The Keystone Exams would be optional for school
23 districts to use, counting as one-third of a student's overall
24 portfolio to pass a course, and the exams would be administered
25 at the completion of a subject, in some cases as early as the
26 7th grade; and

27 WHEREAS, The Keystone Exams would replace the 11th grade PSSA
28 for NCLB requirements, thus freeing up 18 hours of testing in
29 the classroom that can then be used for classroom instruction,
30 while allowing school districts the option of using one test in

1 place of three tests, including the current PSSA, local
2 assessments and classroom exams; and

3 WHEREAS, Classroom instruction will no longer be geared to
4 "teaching to the test," but rather the test will lead to and
5 reflect a renewed direction of student learning of the curricula
6 through the Department of Education's development of model
7 curricula and diagnostic tools; and

8 WHEREAS, School districts would be permitted to continue
9 using local assessments if the assessments are aligned to State
10 standards and validated, with the Commonwealth and school
11 districts splitting the cost of the validation; and

12 WHEREAS, In addition to being allowed to continue to use
13 local validated assessments, school districts would also be
14 permitted to substitute successful passage of Advanced Placement
15 or International Baccalaureate exams in place of utilizing
16 Keystone Exams; and

17 WHEREAS, The new Keystone Exams will be phased in over an
18 eight-year period, spreading out the costs for the exams, which
19 will allow the Commonwealth to realize savings through the
20 elimination of the 11th grade PSSAs, provide the opportunity to
21 seek Federal funding to help offset costs associated with the
22 exams and redirect close to \$40 million to other educational
23 programs; and

24 WHEREAS, The proposed compromise gives districts the
25 discretion to allow students who perform at an advanced level on
26 any particular Keystone Exam prior to taking a course to "test
27 out" of the course and be granted course credits without needing
28 to take the course; and

29 WHEREAS, The compromise recognizes that some students do not
30 test well on standardized tests by permitting alternative

1 pathways based upon the Maryland Bridge Plan for students who
2 have difficulty learning, recognizing the need to continue
3 alternative measures of proficiency for students with an
4 ~~Individual Educational~~ INDIVIDUALIZED EDUCATION Program and ←
5 providing for a waiver by the Secretary of Education for
6 extenuating circumstances; therefore be it

7 RESOLVED, That the Senate encourage the State Board of
8 Education to adopt the final-form regulation, Reg. No. 006-312,
9 to provide accountability for the almost \$23 billion of Federal,
10 State and local dollars spent annually on public education and
11 to ensure that the Pennsylvania high school diploma provides
12 graduates with the tools to compete in the 21st century and to
13 succeed in the arena of higher education.