

HOUSE OF REPRESENTATIVES  
**Education Committee**

**Representative James R. Roebuck, Jr.**

#2696

**Democratic Chairman**

Christopher Wakeley, *Executive Director*

Room 208 Irvis Office Building • Harrisburg, PA 17120 • Phone: 717-787-7044 • Fax: 717-783-1665

June 26, 2008

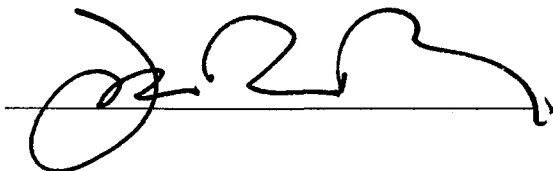
Karl Girton, Chairperson  
State Board of Education  
333 Market Street  
Harrisburg, PA 17120

Dear Mr. Girton:

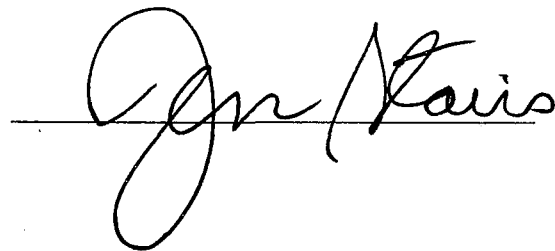
*The House of Representatives Education Committee respectfully submits the attached comments and recommendations to the State Board of Education concerning the proposed changes to the State Board of Education, Chapter 4 Regulations: Academic Standards and Assessments which were approved by committee vote today.*

Sincerely,

James R. Roebuck, Democratic Chairman  
House Education Committee



Jess Stairs, Republican Chairman  
House Education Committee



cc: Arthur Coccodrilli, Chairman, IRRC  
Jim Buckheit, Executive Director, State Board of Education

JRR: st

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Chapter 4: Academic Standards and Assessment Regulations  
Proposed Regulatory Changes

*The House of Representatives Education Committee respectfully submits the following comments and issues to the State Board of Education concerning the proposed changes to the aforementioned regulations and asks for due consideration of the recommendations.*

The House Education Committee shares with the State Board of Education a commitment that every child in our public schools should achieve proficiency on our state's academic standards. The Committee also appreciates the time and effort that the State Board of Education has spent on the proposed Chapter 4 regulatory changes regarding high school graduation requirements and the State Assessment System.

However, based on the Committee's review of the proposed regulatory changes, the testimony presented before the Committee at hearings on June 18 and June 25 and the sheer volume of correspondence the Members have received regarding this issue, the Committee strongly recommends that the State Board of Education should step back and re-evaluate these proposed regulatory changes. Numerous issues and concerns have been raised about these proposed regulatory changes including the following:

- Serious concerns as to whether the proposed regulatory changes violates the existing statutory authority of local school districts to make final graduation decisions for their students under Section 1611 of the Public School Code and replaces local authority over high school graduation requirements with a high stakes state high school graduation assessment. Provisions in the proposed regulations require local assessments to be independently validated as aligned with the state academic standards based on criteria that would make the local assessments similar to the proposed Graduation Competency Assessments (GCA). These regulatory changes would in effect make the local assessment a local GCA and not allow school districts to use other types of appropriate assessments of student proficiency on the academic standards. Additionally, there have been questions raised regarding whether the policy changes envisioned are so substantial to require the review of the General Assembly per the criteria set forth in the Independent Regulatory Review Act.

- Serious concerns about the cost to school districts in terms of time and financial resources of the proposed regulatory changes. While the proposed regulatory changes do require the Department of Education to provide support to school districts in terms of voluntary model curriculum, assistance in tutoring and extended instructional time and continuing professional development, the regulatory analysis accompanying the proposed regulatory changes does not fully reflect the overall fiscal impact to school districts and the Commonwealth. Based on the testimony heard by the Committee and the experience of other states implementing such regulatory changes, a more thorough and detailed analysis of the costs, including significant remediation costs, of these proposed regulatory changes is needed prior to any final consideration of these proposed regulatory changes.
- Issues have been raised about the details related to the implementation of the proposed changes. It has been stated that there will be numerous chances to retake the tests and students will only need to take the test module they failed. The proposed regulations state that remediation must be provided to the students who are not successful on the assessment. With 57,000 students being identified as needing additional support, the implementation by school districts and the integration with such things as collective bargaining agreements, transportation issues, space availability will need to be carefully considered given the degree these issues will impact all 501 school districts.
- Concern that the two state assessments provided for in the regulatory change as options for high school graduation are not equivalent in terms of the content of the assessments. While the PSSA is based on broader academic standards in a subject area, the GCAs are based on specific course content. It appears that the two assessments are assessing different academic content. Additionally, the proposal allows school districts to use Advanced Placement and International Baccalaureate tests as another option which then raises the issue of Statewide availability and comparability to the other three options. There needs to be a clearer and more detailed explanation of how these various assessments will be made equivalent so that all students are assessed on the same academic standards. Finally, since the proposal indicates that these tests can be used in place of traditional final exams, concern has been raised about the alignment of the numerous grading scales used by teachers.

- Significant concerns have been raised about these regulatory changes creating a high stakes test with extreme consequences (denial of graduation) that, based on research and experiences with high stakes testing in other states, can have significant negative consequences for students living in poverty, minority students, English language learners, and special needs students including increased high school dropout rates, and further narrowing of curriculum that focuses more on standardized testing of students. Further review also appears to be warranted in the area of creating another barrier for our students in moving forward in their lives albeit work, college or military service without a diploma.
- The proposed regulatory changes appear to be based on the finding that there is a discrepancy between the number of students who graduate in a school district based on local assessments to the number of students who achieve proficiency on the PSSA. There are two major concerns with this rationale. First, the PSSA has never been validated to be used as an exit exam and was never designed as such. Second, no analysis or audit of any school district's local assessments has been performed to determine whether the local assessments are a faulty measure of student proficiency on statewide academic standards. It would appear that further review is needed with respect to the PSSA and the SAT since recent studies have indicated that students successful on the SAT are also successful in college.

Based on the above issues and concerns with the proposed regulatory changes, the Committee further recommends that, in lieu of these proposed regulatory changes, that the State Board of Education conduct an analysis/audit of school district local assessments to determine if they are in fact aligned with the state academic standards. This process could begin by auditing school districts where the discrepancy between the number of students who graduate and the number of students who achieve proficiency on the PSSA is significant. For those school districts identified as having local assessments not aligned with the state academic standards, the Department of Education can provide targeted assistance to increase the school district's capacity to develop adequate, aligned assessment systems.