



# HIGH-STAKES TESTING

## STUDY GUIDE

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## Education Study Guide

### High Stakes Testing

#### Introduction

Across Pennsylvania, parents, teachers, students, administrators, and taxpayers are discussing the issue of assessment in Pennsylvania's schools. Some of the standardized testing is mandated by federal regulations, and some of it is required by Pennsylvania Department of Education.

Many are debating how much testing is required to know whether students are progressing. Others wonder how much assessment is needed to hold schools accountable for adequate instruction. At what point does preparing for and passing tests become the purpose of education? How important should tests be in decisions that affect students' and teachers' futures? Through this study guide and the consensus questions that follow, the League hopes to engender debate about these important issues.

This study guide is divided into five sections consistent with the corresponding consensus questions. For those who wish to review additional materials, links are provided throughout the document as well as in valuable endnotes. The guide is organized as follows:

Current LWVPA and LWVUS education positions

Section 1: Summary of various state, national and international assessments;

Section 2: Overview of current standards, aligned assessments, and parents' rights;

Section 3: Review of Pennsylvania's School Performance Profile and Educator Effectiveness System;

Section 4: Alternatives to high-stakes testing and accountability;

Section 5: Proposed legislative initiatives.

#### **Current LWVPA and LWVUS Positions on Education**

LWVPA supports equal access to quality public education, to be achieved by participation of government and citizens at all levels and by adequate financing based on an equitable and flexible tax system. LWVPA's original education position was adopted in 1975 recognizing the interrelationship of LWVPA positions on education, equality of opportunity, and taxation. The position was updated after a 1985-86 review of teacher and other professional evaluations, preparation, certification, and tenure.

In 2003, the position was further updated, emphasizing the need for both adequate state funding and a system that distributes these funds in a fair manner. As part of the 2003 update, the position was expanded to address implementation of the 1997 Charter School Law and the problems inherent in the system of state funding of local special education costs. Until now, education updates have not included the question of student assessment.

In March 2012, following a two-year study, LWVUS announced its position on the [Federal Role in Public Education](#). "The League of Women Voters believes that the federal government shares with other levels of government the responsibility to provide an equitable, quality public education for all children pre-K through grade 12. A quality public education is essential for a strong, viable, and sustainable

democratic society and is a civil right.” Part of this study addressed the question of testing (refer to the entire position statement for aspects other than testing): “The League believes that the role of the federal government should include the following:

- Provide a national assessment that clearly informs teachers, parents and students about how well individual students have mastered criteria established at the national level;
- Provide a national assessment that informs districts how well their populations compare to other populations similar to theirs.

“The League supports equity in public education for all through:

- Broad guidelines for accountability, leaving implementation to the state and local education agencies;
- Adequate funding sources that support the broad goals of national standards; and
- Mechanisms for local and state funding with adequate federal support for mandates that require less burdensome, compliance-based reporting and regulations.”

### **Section 1: Assessment Types and Purposes**

The [Center for Public Education](#) (CPE), in its [Guide to Standardized Testing](#)<sup>1</sup>, states:

Assessments and tests are means to an end, not the end in itself. Assessment is a dipstick dropped into the academic program to obtain information about what has been learned to produce data about student learning... Effective education requires information about learning at many points during the process, so two kinds of assessment have evolved—formative and summative.

#### Formative Assessments:

Formative assessments serve to provide information to classroom teachers about student progress.

In [All About Accountability](#), W. James Popham, Emeritus Professor in the UCLA Graduate School of Education and Information Studies writes of formative assessments: “What, then, is formative assessment, and why is it so important for educators to understand what's involved? For an assessment to be formative, teachers (and ideally students as well) need to have the results in sufficient time to adjust—that is *form*—ongoing instruction and learning.”<sup>2</sup>

Thus, ideally, the results of formative assessments provide teachers a timely snapshot of student progression and also allow them to adjust their instruction accordingly, based on results of those assessments.

While it may seem that a classroom teacher is the optimum designer of formative assessments, numerous textbook companies have begun to supply assessments aligned to their texts. Both textbooks and the accompanying tests align to state standards and can be marketed to districts as instrumental tools in attaining proficiency on state tests used for accountability. When tests are used this way, many hours are spent in test preparation in advance of the administration of the state tests.

[Lorrie Shepard](#), Professor of Research and Evaluation Methodology and Dean of the School of Education at the University of Colorado at Boulder commented on this trend during the 2006 National Large-Scale Assessment Conference, sponsored by the Council of Chief State School Officers, in San Francisco: “The research-based concept of formative assessment, closely grounded in classroom instructional processes, has been taken over—hijacked—by commercial test publishers and is used instead to refer to formal testing systems called “benchmark” or “interim assessment systems.”<sup>3</sup>

### Summative Assessments:

Summative assessments record student learning at certain end points in their academic career, such as at the end of a school year or in certain grades. Standardized tests, i.e., tests taken under the same conditions at the same time so results can be attributed to student performance and not to differences in the administration or form of the test, are often summative. The results of summative standardized tests can be compared across schools, districts, or states.

When the results of standardized tests are used for federal/state accountability purposes or as a factor in student promotion, the tests are considered “high-stakes.”

In contrast, “low-stakes” standardized tests, such as the above mentioned formative benchmarks provided by textbook publishers, have no consequences outside that particular classroom.

In addition to state-mandated standardized tests, students may take various other standardized tests throughout their academic career. The earlier referenced [Guide to Standardized Testing](#) provides background information on tests such as:

- National Assessment of Education Progress ([NAEP](#))<sup>4</sup>
- Trends in International Mathematics and Science Study (TIMSS)<sup>5</sup>
- Program for International Student Assessment (PISA)<sup>6</sup>
- SAT, ACT, Advanced Placement (AP)<sup>7</sup>
- International Baccalaureate (IB)<sup>8</sup>

Pennsylvania’s Department of Education (PDE) is responsible for assuring that districts and schools comply with applicable state and federal laws. It is also responsible for developing and implementing an assessment system that will hold districts and schools accountable for student achievement. The Pennsylvania state assessment system is composed of assessments and the reporting associated with the results of those assessments. The assessments include the Pennsylvania System of School Assessment (PSSA), the Pennsylvania Alternate System of Assessment (PASA), the Keystone Exams, and the Classroom Diagnostic Tools (CDT). The following information is taken from the [Assessment Page](#) of the Pennsylvania Department of Education website.<sup>9</sup>

- **PSSA.** The Pennsylvania System of School Assessment, also known as PSSA, measures how well students have achieved in reading, mathematics, science and writing according to Pennsylvania’s world-class academic standards. By using these standards, educators, parents and administrators can evaluate their students’ strengths and weaknesses to increase students’ achievement scores. The annual PSSA is a standards-based, criterion-referenced assessment used to measure a student’s attainment of the academic standards while also determining the degree to which school programs enable students to attain proficiency of the standards. **Every**

**Pennsylvania student in grades 3 through 8 and grade 11 is assessed in reading and math. Every Pennsylvania student in grades 5, 8 and 11 is assessed in writing. Every Pennsylvania student in grades 4 and 8 is assessed in science.** Individual student scores, provided only to their respective schools, can be used to assist teachers in identifying students who may be in need of additional educational opportunities, and school scores provide information to schools and districts for curriculum and instruction improvement discussions and planning.

- **PASA.** The Pennsylvania Alternate System of Assessment (PASA) is a statewide alternate assessment designed for students with the most significant cognitive disabilities. Specifically, **it is intended for those who are unable to participate meaningfully in the [Pennsylvania System of School Assessment \(PSSA\)](#) even with accommodations.** By administering the PASA to students with severe disabilities, schools achieve compliance with federal laws and the Pennsylvania School Code that require that all students participate in the statewide accountability system. The PASA is an individually administered test given each spring to students by their teacher or another certified Test Administrator who knows the student well. Test administration can be adapted so that even students with the most severe disabilities can participate in the assessment and receive a score.
- **Keystone Exams.** The Keystone Exams are end-of-course assessments designed to assess proficiency in the subject areas of Algebra I, Algebra II, Geometry, Literature, English Composition, Biology, Chemistry, U.S. History, World History, and Civics and Government. **The Keystone Exams are one component of Pennsylvania's new system of high school graduation requirements.** Keystone Exams will help school districts guide students toward meeting state standards. For the class of 2017, students must pass the Algebra I, Literature, and Biology exams to graduate.
- **Classroom Diagnostic Tests.** **The Pennsylvania Classroom Diagnostic Tools (CDT) is a set of online assessments, divided by content area, designed to provide diagnostic information in order to guide instruction and remediation.** The CDT reporting system is fully integrated in the Standards Aligned System (SAS). It assists educators in identifying student academic strengths, and areas in need of improvement, by providing links to classroom resources. The diagnostic reports feature easy-to-follow links to targeted curricular resources and materials, including units and lesson plans found within the SAS system. The CDT is available to districts at no cost. The purpose of the CDT is to provide information that will help guide instruction by providing support to students and teachers. The CDT reports are designed to provide a picture or snapshot of how students are performing in relation to the Pennsylvania Assessment Anchors & Eligible Content and Keystone Assessment Anchors & Eligible Content. The CDT goes beyond focusing only on **what** students should know and be able to do at a particular grade and/or course. It also provides a snapshot of **how** and **why** students may still be struggling or extending beyond the grade and/or course Eligible Content.

In addition to the above, most districts across the state devote a page on their websites to district specific assessment details and schedules. Visit your local school district website for such assessment information.

For a comprehensive national overview of summative testing practices, see November 2014 Education Commission of States (ECS) report, [Fifty Ways to Test](#).<sup>10</sup>

### Assessment for Accountability: Background and Rationale

In 1965, Congress enacted the Elementary and Secondary Education Act (ESEA) as part of President Lyndon B. Johnson's "War on Poverty." The primary purpose of ESEA was to provide all children with equal access to a quality education. Through a special source of funding (Title I), ESEA allocated resources to meet the needs of educationally deprived children. With additional funding, schools were expected to experience improvement in achievement and were subject to remedial action if they did not show improvement.

Since 1965, ESEA has been reauthorized numerous times. See the Association for Supervision and Curriculum Development (ASCD): [The Neverending Story of ESEA Reauthorization](#).<sup>11</sup>

In 1994, President Clinton signed the Improving America's Schools Act (IASA)<sup>12</sup>, which reauthorized the ESEA for five years. IASA authorized approximately \$11 billion in 1995 for most federal K-12 education programs and enacted program changes that were considered the most significant since ESEA passage in 1965. The legislation changed the focus from an emphasis on individual children in the Title I program to aggregate performance of all children measured against state academic content and achievement standards in reading/language arts and mathematics, using tests aligned to those standards. Tests had to be administered at least once in each of three grade spans: 3-5, 6-9, and 10-12.

In January 2002, the [No Child Left Behind](#)<sup>13</sup> (NCLB) Act of 2001, President George W. Bush's education-reform bill, was signed into law. Although technically a reauthorization of ESEA, NCLB is viewed by many as the most far-reaching education-reform legislation since the 1965 legislation.

With NCLB, the federal government attempted to assure quality public education for all children in the United States by stressing the importance of increased funding for poor school districts, higher achievement for poor and minority students, and new measures to hold schools accountable for their students' progress. The law prohibited federally mandated curriculum: states were tasked with the development of academic standards in reading and math and the establishment of annual statewide objectives for progress to ensure all students reach 100% proficiency in those subjects within 12 years (target year was 2014). In an effort to confirm that states were creating and maintaining challenging standards and tests, each state's results were to be compared against a NAEP benchmark, often referred to as "the nation's report card," , given to a small sample of each state's 4<sup>th</sup> and 8<sup>th</sup> graders in reading and math. There were no consequences for the state if scores were lower than NAEP results, but the comparative results were made public.

Although NCLB is infamously credited with expanding the role of standardized testing, the law actually prohibited national tests. States were responsible for designing their own tests that would align with their academic standards, and Congress set aside \$400 million in funding to help states administer their tests. Students were to be tested in reading and mathematics annually in grades 3-8 and once in grades 10-12. In science, students were tested once in grades 3-5, 6-8, and 10-12. To ensure that schools were not grouping test results together in an overall average that would, in effect, mask achievement gaps between students, both aggregate and disaggregate (poverty, race, ethnicity, disability and limited English proficiency) test results of individual schools, school districts and states were reported annually in public report cards.

NCLB required 100% of students test proficient in reading and math by 2014, a goal that virtually every education official recognized as impossible. In Pennsylvania, the number of districts making adequate progress fell from 94% in 2011 to 60.9% in 2012 as the targets increased.<sup>14</sup>

In March of 2010, the Obama Administration unveiled its [Blueprint for Reform](#)<sup>15</sup> of ESEA. The Blueprint addressed the unrealistic proficiency goals created by NCLB along with the need to continue to pursue high standards and close the achievement gap. However, no agreement could be reached in Congress to once again reauthorize ESEA, so the Administration instead proceeded to offer states “[flexibility](#)”<sup>16</sup> from ESEA as authorized by provisions in the law itself.

In September 2011, President Obama began permitting states to file for waivers from the unrealistic provisions of NCLB, provided they offered a strategy to craft and implement a plan to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.

#### *Additional Resources of Interest on Accountability and NCLB: Waivers and Consequences*

- The Center on Education Policy’s [Waiver Watch](#) is an interactive website with state-by-state breakdown of NCLB waivers.<sup>17</sup>
- Fairtest’s [No Child Left Behind 10th Anniversary Report](#) provides a comprehensive look at many of the unintended negative consequences of the bill, such as cheating scandals, narrowing of curriculum and loss of educational equity.<sup>18</sup>
- While dated, the PBS Frontline site, [Testing Our Schools](#)<sup>19</sup>, was designed and maintained during the time of NCLB and is still worth a look.
- National Conference of State Legislatures on Testing, Standards and Accountability.<sup>20</sup>
- [Test More Not Less](#), by Grover J. "Russ" Whitehurst and Katharine Lindquist.<sup>21</sup>

#### **Section 2: Pennsylvania Core Standards and Aligned Assessments**

On August 20, 2013, Pennsylvania’s NCLB [waiver request](#)<sup>22</sup> was approved by the US Department of Education. In order to comply with Pennsylvania’s [ESEA Flexibility Request](#)<sup>23</sup> (NCLB waiver), the state made numerous commitments to the US Department of Education, in the following areas:

- *College & Career Ready Expectations for all Students* - fulfilled through adoption of Pennsylvania Core Standards and development of aligned assessments
- *State-Developed Differentiated Recognition, Accountability and Support* – Adequate Yearly Progress is replaced by School Performance Profile
- *Supporting Effective Instruction and Leadership* – Educator Effectiveness: [Act 82 of 2012](#)<sup>24</sup> encompasses classroom teachers, principals and non-teaching professionals

The [PA Core Standards](#)<sup>25</sup>, which also include pre-K standards, serve as College and Career Ready framework for development of assessments.

Another condition of Pennsylvania’s waiver was the promise to develop annual, statewide, high-quality assessments, aligned with the above standards, and administered to measure student growth. Of note here is that Pennsylvania chose to not participate in either one of the two state testing consortia,



[Smarter Balanced](#)<sup>26</sup> (SBAC) and [Partnership for Assessment of Readiness for College and Career](#)<sup>27</sup> (PARCC). Both organizations were awarded funding from the U.S. Department of Education to develop an assessment system aligned to the [Common Core State Standards](#).<sup>28</sup> While Pennsylvania remains a “participating” state in PARCC, which means it is “interested” in the work of the consortium, it does not use PARCC assessments. The Pew Charitable Trust’s Stateline blog reports that a number of participating SBAC and PARCC states began to reconsider use of the tests due to costs and support from the consortia.<sup>29</sup>

In lieu of joining the consortia, Pennsylvania revised the existing [PA System of School Assessment](#)<sup>30</sup> (PSSA) to align with newly adopted PA Core Standards. Assessments in English Language Arts and Mathematics are taken by students in grades 3, 4, 5, 6, 7 and 8. Students in grades 4 and 8 are administered the Science PSSA.

The [Keystone Exams](#)<sup>31</sup> were developed to replace the 11<sup>th</sup> grade PSSAs. The tests were initially proposed as exit exams that would count as one-third of a student’s grade and would be developed for use in ten subject areas. However, state education officials expressed concern that, if counted as one-third of a grade, a student could still graduate without truly demonstrating proficiency of the state’s new college and career ready standards as measured by the Keystone Exams. Thus, many began to express support of mandating Keystone proficiency as a graduation requirement to assure prospective employers and colleges that a Pennsylvania high-school graduate was college and career ready and ensure that students and teachers would devote serious attention to scoring well on the tests.

The use of the Keystone Exams as graduation requirements, as opposed to course grade, was vocally supported by various education, business and military organizations. In her consistent support of state standards and the use of aligned assessments as graduation requirements, Joan Benso of Pennsylvania Partnerships for Children cites a 2009 Penn State University College of Education study, commissioned by PDE, which found only 18 of 418 reporting districts had locally aligned assessments that were an accurate measurement of both math and reading proficiency. Benso views this as “evidence that we are sending our young people into the world lacking the educational foundation to succeed in postsecondary education, the military and the workforce without the need for costly and time consuming remediation.”<sup>32</sup>

Mike George, President of QVC and Corporate Secretary of the Pennsylvania Business Council echoes Benso’s sentiments: “For too long, Pennsylvania has been graduating students who are not prepared for college or a career. About one-third of students who graduate from high school in the Commonwealth - about 44,000 each year- do not score proficient or advanced on the Commonwealth’s 11th grade reading and math assessments. We need a vibrant educational system with rigorous, internationally benchmarked standards (PA Core Standards) and aligned assessments, including Keystone Exams, which produce students with the skills to be successful and to help businesses like mine succeed and grow.”<sup>33</sup>

Mission: Readiness, the non-partisan national security organization, in *All Children Prepared for Success: PA Common Core Standards and Aligned Assessments Are Key*, reports “poor educational achievement is one of the biggest reasons why an estimated 75 percent of all young Americans are unable to join the military.”<sup>34</sup>

On September 12, 2013 the Pennsylvania Board of Education voted, 13-4, to approve revisions to Chapter 4 of the Pennsylvania School Code regulations that formally adopted the PA Core Standards and



solidified the use Keystone Exams as graduation requirements for all public schools. In addition, the number of tests to be developed was decreased from ten to five. The Board approved the regulation that stated, beginning with the class of 2017, students will be required to pass three Keystone Exams (Algebra I, Biology and Literature) or a comparable assessment *to obtain a high school diploma*. The regulation also stated the class of 2019 would be required to pass four Keystone Exams (Algebra I, Biology, Literature, Composition) and the class of 2020 and beyond to pass five Keystone Exams (Algebra I, Biology, Literature, Composition, Civics and Government).<sup>35</sup>

At the September 12 meeting, opposition was expressed by individuals and groups, such as the [NAACP](#)<sup>36</sup>, who were concerned that requiring students to pass these tests to graduate would negatively impact particular student populations such as special education students, English language learners and students in historically “low-achieving” districts. Yet, on November 21, 2013, final form Chapter 4 revisions were approved by the [Independent Regulatory Review Commission](#)<sup>37</sup> (IRRC) by a vote of 3-2. The meeting ran in excess of four hours and hundreds of letters were received expressing both opposition and support for the regulations.<sup>38</sup> Opposition to the graduation requirements included a letter signed by 58 superintendents spanning Bucks, Montgomery, Chester and Delaware counties.<sup>39</sup>

The intention of the Obama Administration in issuing flexibility from ESEA was to free states from unrealistic proficiency targets and the remnants of NCLB. However, Pennsylvania’s decision to use the Keystone Exams for federal/state accountability in addition to making them graduation requirements quickly began to receive pushback as schools began to realize the financial and human resources necessary to prepare their students to successfully complete this requirement. In an attempt to better understand some of these issues, it is helpful to examine some specifics of the final Chapter 4 regulations concerning Keystone Exams.

#### Chapter 4 Regulations: Keystone Exams and the Rights of Parents and Students

For Pennsylvania, the Keystone Exams serve two purposes:

- Fulfill high school accountability assessments for federal and state purposes (per NCLB waiver)
- Assign “high-stakes” consequences (high school graduation) for students beginning with the class of 2017 in hope of ensuring Pennsylvania students are college and career ready

As mentioned above, Chapter 4 permits districts to use/develop comparable assessments to fulfill state graduation requirements (locally developed assessments must be validated by PDE). However, even if a district chooses this option, it must still administer the Keystone Exams to fulfill federal/state accountability requirements. For example, a student could choose to apply Advanced Placement or International Baccalaureate test scores towards graduation requirements, but would need to take the Keystone Exam, in addition to those tests, in order to fulfill federal/state accountability. While this provision may have been well-intended to allow local control of graduation requirements, in the end it appears to result in the need to double-test students in the same subject.

Most students begin the Keystone testing cycles in 8<sup>th</sup> and 9<sup>th</sup> grade. Algebra 1 is dependent on when the student is enrolled in the course. Keep in mind that if Algebra is taken in 8<sup>th</sup> grade, the student is responsible for taking the Science PSSA in addition to the Keystone Algebra Exam in that grade. Biology is taken in 9<sup>th</sup> grade and Literature in 10<sup>th</sup>. The tests may be administered more than one time

until a student reaches proficiency. Districts are required to provide remediation, at their own expense, for students who do not pass. If a student cannot reach proficiency through assessment, the district may choose to continue to remediate and re-test (often done if the student is close to proficiency) or choose to administer a project-based assessment (PBA). The PBA is “designed as a set of activities a student completes independently of classroom instruction in order to demonstrate proficiency in the content area and meet state graduation requirements.”<sup>40</sup>

In the case of special education students, the student’s Individualized Education Program (IEP) is a legal document and takes precedence over all Chapter 4 requirements. For example, if a student’s IEP team determines graduation proficiency is best shown through means other than Keystone or PBA proficiency (alternate assessments, projects, etc.), the graduation plan outlined in the IEP must be followed.

English language learners (ELLs) enrolled in their first year at a US school are not required to take Keystone Exams. However, they are required to participate in the exams one year and one day after enrollment. However, most ELLs require much more than one year of instruction to be able to understand academic English well enough to show their knowledge on a standardized test.

The Pennsylvania School Code allows parental opt-out of standardized testing and curriculum for ‘religious’ reasons only. According to Chapter 4, a parent/guardian must contact the school administrator to request an exemption from state tests based on religious beliefs. The request need not specify those beliefs or objections and the district cannot legally question or deny the request. Once granted, the parent views the test, signs a confidentiality agreement to not share test information, and the exemption is granted by the district. While this opt-out works nicely with PSSAs, an opt-out of the Keystone Exams still requires completion of the PBA to fulfill state graduation requirements. Thus, one may currently opt out of the exams, but not the graduation requirement.<sup>41</sup> Although it is likely that the opt-out provision can also apply to test preparation (often time-consuming), this requires further clarification and may become a legal issue. Relatedly, what instruction during the school day is available to students whose parents have chosen the opt-out provision?

Chapter 4 also allows a district administrator to grant graduation waivers on a case-by-case basis “for good cause” for up to 10% of students unable to reach proficiency on Keystone Exams. Special education students whose IEPs provide for alternate graduation requirements do not count towards this percentage. While PDE does provide a list of such extenuating circumstances, the list serves only as a guide and the final decision is up to the local district. The inability to complete a project-based assessment and other extenuating circumstances may justify such a waiver. However, if such waivers cover more than 10% of a graduating class, the superintendent is required to submit an action plan that outlines improvements that will be put in place to remediate deficiencies in the school’s mandated courses for approval by the Secretary of Education. Interestingly, the waiver process does not confer an individual right to any student and the decision of a superintendent to a waiver request is not an adjudication. Given the number and range of perspectives among school administrators throughout the Commonwealth, the use of waivers may be subject to a variety of pressures. As a result, the rationale for Keystone Exams may be eroded and a student’s ability to graduate may, when based on another’s ability to waive requirements, become somewhat arbitrary. This, too, may result in legal challenges.

Having looked at the justification for Pennsylvania’s decision to require the Keystone Exams as graduation requirements, we now turn to a review of the opposition expressed both before and after the final Chapter 4 regulations were passed. Well before the 2017 target defined in Chapter 4, public

hearings and forums were held across the state. Testimony provided from various sources clearly outlined the financial, instructional and human impact on schools, communities and most importantly students.

In response to concerns from districts and parents about the anticipated graduation requirements, the Pennsylvania Senate Education Committee held a hearing on August 26, 2013. Representatives from the Pennsylvania State Board of Education and PDE continued to assert that students would not take the tests seriously if there were no high-stakes, such as graduation requirements, attached to them. In contrast, a Garnet Valley parent spoke of the frustration of her daughter, a stellar student with an outstanding GPA, who could not pass a Keystone exam and worried about receiving a diploma. Administrators from Tredyffrin-Easttown and Haverford school districts and school board directors from Garnet Valley and Radnor spoke of the resulting drain on instructional hours, financial and human resources in their districts caused by the graduation requirement. Retired Senator and former Majority Chair of the Senate Education Committee, Jeff Piccola, provided background on the origin of the exams.<sup>42</sup>

In a March 14, 2014 letter to the chairs of the Senate Education Committee, Acting Secretary of Education Carolyn Dumaresq promised no additional Keystone test development during her tenure, which ends in January, 2015. She admitted she could not speak for future Secretaries, but her announcement does temporarily halt the development of the additional tests in Composition and Civics and Government.<sup>43</sup> While this was considered a win for many anti-testing advocates, the reality behind the decision was based on a lack of state funds to develop two additional tests.

On April 24, 2014 a group of superintendents, teachers and parents invited Chester County legislators to a Keystone Exam briefing to express their continuing concerns over the state's November 2013 decision to use these tests as graduation requirements beginning with class of 2017.<sup>44</sup> Numerous school boards, such as Radnor, Haverford, Great Valley, West Chester and Tredyffrin-Easttown, adopted resolutions opposing the use of the Keystone Exams as graduation requirements.<sup>45</sup>

On October 7, 2014, the Leagues of Women Voters from Radnor, Haverford, Lower Merion/Narberth and Chester County, with the support of local school districts and in partnership with their parent-teacher organizations, hosted a public forum on the Keystone Exams.<sup>46</sup> The forum echoed and strengthened existing district, parent and student concerns on the financial and human impact of the tests on the community. Concerns about the possible legal challenges to the use of the Keystone Exams as graduation requirements were raised as well as concerns about the impact of additional costs for testing and remediation to be borne by the districts and the potential disastrous effects on students in less-affluent districts.

On November 19, 2014, local and national education activists testified at a Philadelphia City Council Education Committee hearing on the impact of Keystone Exams as graduation requirements. The hearing was a result of a resolution passed by the Committee.<sup>47</sup> On December 11, 2014 and as a direct result of the November hearing, Philadelphia City Council passed a [resolution](#)<sup>48</sup> calling upon the School District of Philadelphia and the School Reform Commission to analyze the financial and human impact of standardized testing, to identify strategies to minimize its use, and to request a waiver of the Keystone Exams from the Commonwealth of Pennsylvania in order to adopt assessments that better serve local needs and priorities. It will be interesting to follow the development of this waiver request. As discussed earlier, even if Philadelphia is granted use of an assessment that would "better serve local needs", will the District still be required to take the Keystone Exams for federal/state accountability?

And if Philadelphia is granted a waiver from PDE, will other districts follow their lead and begin to request district specific waivers from the graduation requirements?

The following reports provide national perspective on the impact of standardized testing on instructional time and human and financial resources:

- A 2014 Center for American Progress report, [Testing Overload in America's Schools](#), finds that districts require more tests than states and actual test administration takes up a small fraction of learning time.<sup>49</sup>
- [Testing More Teaching Less: What America's Obsession with Student Testing Costs in Money and Lost Instructional Time](#), by Howard Nelson, is a detailed grade-by-grade analysis of the testing calendars for two mid-size urban school districts, and the applied research from other studies of state mandated testing. Nelson found that the time students spend taking tests ranged from 20 to 50 hours per year in heavily tested grades. In addition, students can spend 60 to more than 110 hours per year in test prep in high-stakes testing grades. Including the cost of lost instructional time (at \$6.15 per hour, equivalent to the per-student cost of adding one hour to the school day), the estimated annual testing cost per pupil ranged from \$700 to more than \$1,000 per pupil in several grades that had the most testing. If testing were abandoned altogether, one school district in this study could add from 20 to 40 minutes of instruction to each school day for most grades. The other school district would be able to add almost an entire class period to the school day for grades 6-11.<sup>50</sup>
- In [Strength in Numbers: State Spending on K-12 Assessment Systems](#), Matthew Chingos of the Brown Center on Education Policy focuses on contract costs: he obtained usable contract data for 44 states and the District of Columbia. Combined, those jurisdictions contain 94 percent of U.S. students in grades 3-9 and account for about \$669 million in average yearly spending, or \$27 per pupil in grades 3-9 (enrollment in these grades was used because NCLB requires states to test students in grades 3-8). For each state that provided contracts, the Brookings study identified the contract(s) associated with the main state assessments in math and reading, recorded the total contract amount for the main contract for each of the years 2007 through 2012 and updated with any/all revised contract amounts when they were available. Those yearly amounts were all adjusted for inflation, converted to 2012 dollars and averaged to create a single yearly amount for each state. to arrive at an estimate that states nationwide spend roughly \$1.7 billion on assessments each year. Chingos admits that while the number seems large and could be used by testing critics as evidence that the United States overspends on student assessments, the figure amounts to only one-quarter of one percent of annual K-12 education spending in the U.S. He exemplifies this by noting that if all statewide assessment activities were to cease and that funding was used to hire new teachers, the pupil-teacher ratio would only fall by 0.1 students.<sup>51</sup>

The Pennsylvania Constitution mentions public education in two sections, Article III, Section 14, "Public School System" and Section 15, "Public School Money Not Available to Sectarian Schools." They state, respectively, [The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth \(Sec.14\), and No money raised for the support of the public schools of the Commonwealth shall be appropriated to or](#)

[used for the support of any sectarian school \(Sec. 15\)](#). To carry out this role, the General Assembly passes regulatory statutes, sets appropriations, and delegates operations to local school boards and other agencies such as intermediate units. These include graduation requirements as noted in Chapter 4 of the Pennsylvania Code 4.42. In light of this, are costs associated with state-mandated tests to be the responsibility of the General Assembly as part of a “thorough and efficient system?”

### **Section 3: The Use of Assessment as a Tool to Support Effective Schools and Leadership**

As mentioned earlier, Pennsylvania’s NCLB waiver put an end to AYP (Adequate Yearly Progress), replacing it with a new accountability system. Schools now receive a [School Performance Profile](#) (SPP) based primarily on the following objectives:

- test scores
- graduation/attendance rate
- closing the achievement gap for ALL students
- closing the achievement gap for “historically low performing students” (defined as students with disabilities, economically disadvantaged students, English language learners)
- number of students in advanced placement courses or courses for college credit

The [School Performance Profile](#) (SPP)<sup>52</sup>, as AYP before, is accessible to the public in order to ensure accountability to all stakeholders. Title 1 schools – schools with a high percentage of low income students -- now receive one of three federal designations, Reward, Priority or Focus. A number of interventions, defined by PDE are available for Priority and Focus schools. If necessary, non-Title 1 schools have access to the same interventions as Title 1 Priority and Focus schools.

The Pennsylvania SPP also serves to provide a building level academic score for educators as part of the Educator Effectiveness System as required by [Act 82 of 2012](#).

Act 82 of 2012 addresses the evaluation of the effectiveness of professional employees and temporary professional employees. The SPP academic performance score comprises a portion of each teacher and principal’s evaluation. Pennsylvania has committed to develop and adopt guidelines for local teacher and principal evaluation and support systems. Aided by \$800,000 grant from the Gates Foundation, Pennsylvania began development of a new teacher evaluation system in 2010. By 2012, in conjunction with [Race to the Top](#)<sup>53</sup> grant, more than 290 schools participated in pilots and data was collected and evaluated, resulting in an educator evaluation system, utilizing “multiple measures” and in place for teachers in 2013-14 and principals/non-teaching professional educators the following year.

There is a wealth of information available on the validity of basing teacher evaluations on test scores, including:

- [Fairtest Teacher Evaluation Fact Sheet](#)<sup>54</sup>
- [Should Student Test Scores Be Used to Evaluate Teachers?](#)<sup>55</sup>
- [What Research Says About Value Added Measures to Evaluate Teachers](#)<sup>56</sup>

In late summer 2014, it became clear that the numerous criticisms of the unintended consequences of the Obama Administration's waivers were being heard in Washington. In speaking with educators in the capitol in August, US Secretary of Education Arne Duncan admitted that it was unfair to hold teachers accountable for results of new assessments while they are still in the process of learning the new standards to which those assessments were aligned. In response to this dilemma, the Administration offered another round of waivers, this time for states needing an extra year to acclimate its teachers to new state standards.

Mr. Duncan also recognized that "the sheer quantity of testing – and test prep – has become an issue. In some schools and districts, over time tests have simply been layered on top of one another, without a clear sense of strategy or direction. Where tests are redundant, or not sufficiently helpful for instruction, they cost precious time that teachers and kids can't afford. Too much testing can rob school buildings of joy, and cause unnecessary stress."<sup>57</sup>

#### **Section 4: Alternatives to High-Stakes Testing and Accountability**

Even opponents of high-stakes testing and accountability systems realize the role of assessments in determining the need for equitable access to quality public schools and effective educators. Below are suggestions for alternative assessment and accountability systems:

- Fairtest, the National Center for Fair and Open Testing, in collaboration with education, civil rights, parent and community organizations, proposes an "authentic" alternative to our current assessment and accountability system.<sup>58</sup>
- In 2011, the 30-member [Gordon Commission](#) was established by the Educational Testing Service (ETS) due to changing "conceptions of what it means to educate and to be an educated person". The two-year work of the Commission produced numerous [policy suggestions](#) based on the assumption that assessment in education can inform and improve teaching and learning processes and outcomes.<sup>59</sup>
- Echoing the concern of the Gordon Commission, the Stanford Center for Opportunity Policy in Education (SCOPE), The National Center for Research on Evaluation, Standards & Student Testing (CRESST) at UCLA and the Learning Sciences Research Institute at the University of Illinois at Chicago issued a joint report, signed by 20 education leaders and assessment experts titled [Criteria for High Quality Assessment](#). The lead authors of the report are assessment experts James Pellegrino (University of Illinois), Joan Herman (UCLA) Linda Darling-Hammond (Stanford).<sup>60</sup>
- Linda Darling-Hammond also served briefly as an education advisor to President Barack Obama's 2008 presidential campaign and has co-authored a report outlining what an alternate accountability system using a fictional "51<sup>st</sup> state".<sup>61</sup>
- The American Federation of Teachers, in partnership with a number of organizations, has called to replace the current test-and-punish approach to educational accountability with a [New Accountability](#).<sup>62</sup>

- Council of Chief State School Officers and the Council of the Great City Schools jointly released [Commitments on High Quality Assessments](#) and have taken initial steps to ensure assessments are used in responsible ways.<sup>63</sup>

### **Section 5: Legislation to Reduce Impact of High-Stakes Testing:**

Since the final passage of Chapter 4 regulations mandating Keystone Exams as graduation requirements, there have been attempts to ease or reverse the regulation through the legislative process. A number of Keystone Exam bills were introduced in Pennsylvania, but all perished at the end of the 2013-14 legislative session and, at the time of writing, none have been re-introduced. [Senate Bill 1450](#) was voted out of Committee and had the most hope of passage, but was never brought to the Senate floor for a full vote before the session ended. SB 1450 would have returned local control of graduation requirements to districts by giving them the *option* of using the Keystone Exams as graduation requirements.<sup>64</sup> To search previous or pending education legislation in Pennsylvania, visit the [PA General Assembly](#) website,<sup>65</sup> <http://www.legis.state.pa.us/cfdocs/legis/home/bills/>

As discussed earlier, the prospect of ESEA reauthorization is always on the table at the federal level, but if that will happen during the remaining term of the current administration remains to be seen.

However, there was some encouraging news out of Washington on December 12, 2014: Congresswoman Suzanne Bonamici (OR-01) and Congressman Jim Gerlach (PA-06) introduced the “Support Making Assessments Reliable and Timely” ([SMART](#)) Act to address unnecessary tests in our nation’s classrooms.<sup>66</sup>

The SMART Act includes a grant for states to audit their assessments and eliminate poor-quality or redundant tests. The Council of Chief State School Officers and the Council of the Great City Schools have recently committed to this effort, and the SMART Act will provide much-needed federal support.

While encouraging, as reported in [Education Week](#), with no time left for action in this session and Rep. Gerlach’s pending retirement, the bill is viewed mostly as a catalyst to begin the dialog on this critical issue. However, Congresswoman Bonamici promises to re-introduce the bill in the new session.<sup>67</sup>



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<sup>2</sup> Popham, W. James. *All About Accountability/Phony Formative Assessments: Buyer Beware!*, Educational Leadership, November 2006, Volume 64, Number 3, pages 86-87. Also see Popham, W. James. *Why Standardized Tests Don't Measure Educational Quality*, Educational Leadership, March 1999, Volume 56, Number 6, pages 8-15:

<sup>3</sup> Popham, W. James. For more on Lorrie Shepard, see: <http://nepc.colorado.edu/author/shepard-lorrie>

<sup>4</sup> National Center for Education Statistics website NAEP page: <http://nces.ed.gov/nationsreportcard/>

<sup>5</sup> National Center for Education Statistics website TIMSS page: <https://nces.ed.gov/TIMSS/>

<sup>6</sup> National Center for Education Statistics website: <http://nces.ed.gov/surveys/pisa/>

<sup>7</sup> College Board website: <http://sat.collegeboard.org/home>

<sup>8</sup> International Baccalaureate website: <http://www.ibo.org/en/programmes/diploma-programme/assessment-and-exams/>

<sup>9</sup> PDE website: [http://www.portal.state.pa.us/portal/server.pt/community/state\\_assessment\\_system/20965](http://www.portal.state.pa.us/portal/server.pt/community/state_assessment_system/20965)

<sup>10</sup> Salazar, Tonette. *50 Ways to Test: A Look at State Summative Assessments in 2014-15*, Education Commission of the States, November 18, 2014: <http://www.ecs.org/clearinghouse/01/16/06/11606.pdf>

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<sup>12</sup> For more on IASA: *Summary of the Improving America's Schools Act*, Education Week, November 9, 1994: <http://www.edweek.org/ew/articles/1994/11/09/10asacht.h14.html> and US Department of Education website: <https://www2.ed.gov/offices/OESE/archives/legislation/ESEA/brochure/iasa-bro.html>

<sup>13</sup> US Department of Education website:

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<http://www2.ed.gov/policy/elsec/leg/esea02/index.html>

<sup>14</sup> Guisbond, Lisa, Neill, M., Schaeffer B. *NCLB's Lost Decade for Educational Progress: What Can We Learn from this Policy Failure?*, January 2012:  
[http://fairtest.org/sites/default/files/NCLB\\_Report\\_Final\\_Layout.pdf](http://fairtest.org/sites/default/files/NCLB_Report_Final_Layout.pdf)

<sup>15</sup> US Department of Education:  
<http://www2.ed.gov/policy/elsec/leg/blueprint/index.html>

<sup>16</sup> US Department of Education, state by state ESEA flexibility:  
<http://www2.ed.gov/policy/elsec/guid/esea-flexibility/index.html>

<sup>17</sup> Center on Education Policy website: <http://www.cep-dc.org/index.cfm?DocumentSubTopicID=48>

<sup>18</sup> See note 8.

<sup>19</sup> PBS Frontline website: <http://www.pbs.org/wgbh/pages/frontline/shows/schools/>

<sup>20</sup> National Conference of State Legislatures, *Testing, Standards and Accountability* page:  
<http://www.ncsl.org/research/education/testing-standards-amPennsylvaniaamp-accountability-over.aspx>

<sup>21</sup> Whitehurst, Grover J. and Lindquist, Katharine. *Test More, Not Less*, The Brown Center Chalkboard, Number 52, January 22, 2014:  
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<sup>22</sup> US Department of Education: <http://www2.ed.gov/policy/elsec/guid/esea-flexibility/map/pa.html>

<sup>23</sup> Pennsylvania Department of Education:  
[http://www.portal.state.pa.us/portal/server.pt/community/federal\\_programs/7374/p/143352\\_2](http://www.portal.state.pa.us/portal/server.pt/community/federal_programs/7374/p/143352_2)

<sup>24</sup> Pennsylvania Department of Education:  
[http://www.portal.state.pa.us/portal/server.pt/community/educator\\_effectiveness\\_project/20\\_903](http://www.portal.state.pa.us/portal/server.pt/community/educator_effectiveness_project/20_903)

<sup>25</sup> Pennsylvania Department of Education Standards Aligned System:  
<http://www.pdesas.org/Standard/PACore>

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<sup>26</sup> Smarter Balanced Assessment Consortium: <http://www.smarterbalanced.org/about/>

<sup>27</sup> Partnership for Assessment for Readiness for College and Careers: <http://www.parcconline.org/about-parcc>

<sup>28</sup> Common Core State Standards Initiative: <http://www.corestandards.org/>

<sup>29</sup> Lu, Adrienne. *States Reconsider Common Core Tests*, January 24, 2014: <http://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2014/01/24/states-reconsider-common-core-tests>

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<sup>31</sup> Pennsylvania Department of Education, Keystone Exams: [http://www.portal.state.pa.us/portal/server.pt/community/state\\_assessment\\_system/20965/keystone\\_exams/1190529](http://www.portal.state.pa.us/portal/server.pt/community/state_assessment_system/20965/keystone_exams/1190529)

<sup>32</sup> See Joan Benso, PA Partnerships for Children, testimony to PA Senate Education Committee on August 26, 2013: [http://www.papartnerships.org/publication\\_files/ppc-testimony---sen-education-comm-8-26-13.pdf](http://www.papartnerships.org/publication_files/ppc-testimony---sen-education-comm-8-26-13.pdf)

<sup>33</sup> Mike George public comment to IRRC in support of Chapter 4 regulations, November 2013: [http://www.irrc.state.pa.us/docs/2976/COMMENTS\\_FINAL/2976%2011-01-13%20QVC%20MIKE%20GEORGE.pdf](http://www.irrc.state.pa.us/docs/2976/COMMENTS_FINAL/2976%2011-01-13%20QVC%20MIKE%20GEORGE.pdf)

<sup>34</sup> Mission: Readiness, *All Children Prepared for Success: PA Common Core Standards and Aligned Assessments Are Key*, November 2013: <http://missionreadiness.s3.amazonaws.com/wp-content/uploads/PA-Common-Core-Report.pdf>

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<sup>36</sup> Pennsylvania State Conference of NAACP Branches Education Committee letter to Pennsylvania State Board of Education, September 3, 2013: <http://pastatenaacp.org/wp-content/uploads/2013/09/Letter-to-Legislative-Education-Committees-Aug-2013.pdf>

<sup>37</sup> For more information on the IRRC and the regulatory process, see: <http://www.irrc.state.pa.us/index.cfm>

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<sup>38</sup> Final form Chapter 4 regulations can be found at:  
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<sup>39</sup> Boccella, Kathy. *Many regional school leaders argue against Keystone Exams*, Philly.com, November 10, 2013: [http://articles.philly.com/2013-11-10/news/43858373\\_1\\_keystone-tests-language-arts-test-supporters](http://articles.philly.com/2013-11-10/news/43858373_1_keystone-tests-language-arts-test-supporters)

<sup>40</sup> Pennsylvania Department of Education Frequently Asked Questions on Project Based Assessments: <http://static.pdesas.org/Content/Documents/Keystone%20Project%20FAQ.pdf> and Guidance on Chapter 4:  
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<sup>46</sup> Video available at: <http://lwvccpa.org/keystone-exams-forum/>

<sup>47</sup> Testimony and video: <http://appsphilly.wikispaces.com/Opt+Out+Hearings>

<sup>48</sup> Resolution can be viewed at:  
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<https://www.americanprogress.org/issues/education/report/2014/10/16/99073/testing-overload-in-americas-schools/>

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<sup>53</sup> US Department of Education: <http://www2.ed.gov/programs/racetothetop/index.html>

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