

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

HOUSE EDUCATION COMMITTEE

joint with the

SENATE EDUCATION COMMITTEE
PUBLIC HEARING

STATE CAPITOL
HARRISBURG, PA

NORTH OFFICE BUILDING
HEARING ROOM 1

MONDAY, MARCH 20, 2017
10:35 A.M.

PRESENTATION ON
PENNSYLVANIA AND THE FEDERAL EVERY STUDENT SUCCEEDS ACT

HOUSE COMMITTEE MEMBERS PRESENT:

HONORABLE DAVID HICKERNELL, MAJORITY CHAIRMAN
HONORABLE ROSEMARY M. BROWN
HONORABLE HAL ENGLISH
HONORABLE MINDY FEE
HONORABLE MARK M. GILLEN
HONORABLE SETH M. GROVE
HONORABLE BERNIE O'NEILL
HONORABLE KRISTIN PHILLIPS-HILL
HONORABLE KATHY L. RAPP
HONORABLE CRAIG STAATS
HONORABLE WILL TALLMAN
HONORABLE JAMES ROEBUCK, DEMOCRATIC CHAIRMAN
HONORABLE CAROL EVANS-HILL
HONORABLE PATTY KIM
HONORABLE MARK LONGIETTI
HONORABLE MAUREEN MADDEN
HONORABLE STEPHEN MCCARTER
HONORABLE DAN MILLER
HONORABLE MICHAEL SCHLOSSBERG

SENATE COMMITTEE MEMBERS PRESENT:

HONORABLE JOHN H. EICHELBERGER, JR., MAJORITY CHAIRMAN

HONORABLE JAMES R. BREWSTER

HONORABLE RYAN AUMENT

HONORABLE ANDREW E. DINNIMAN, DEMOCRATIC CHAIRMAN

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*Pennsylvania House of Representatives
Commonwealth of Pennsylvania*

HOUSE COMMITTEE STAFF PRESENT:

JONATHAN BERGER

MAJORITY EXECUTIVE DIRECTOR

NICHOLE DUFFY

MAJORITY SENIOR EDUCATION ADVISOR

KAREN SEIVARD

MAJORITY SENIOR LEGAL COUNSEL

BENJAMIN CLEAR

MAJORITY RESEARCH ANALYST

ELIZABETH MURPHY

MAJORITY RESEARCH ANALYST

CATHY O'DONNELL

MAJORITY LEGISLATIVE ADMINISTRATIVE ASSISTANT

CHRIS WAKELEY

DEMOCRATIC EXECUTIVE DIRECTOR

MADLINE CLAPIER

INTERN

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TESTIFIERS

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MATTHEW STEM DEPUTY SECRETARY OF ELEMENTARY AND SECONDARY EDUCATION, PENNSYLVANIA DEPARTMENT OF EDUCATION, ACCOMPANIED BY SAMANTHA KOCH DIRECTOR OF POLICY OFFICE PENNSYLVANIA DEPARTMENT OF EDUCATION.....	7
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SUBMITTED WRITTEN TESTIMONY

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(See submitted written testimony and handouts online.)

P R O C E E D I N G S

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3 SENATE MAJORITY CHAIRMAN EICHELBERGER: Good
4 morning, everyone. Welcome to the joint hearing between
5 the Senate and House Education Committees focusing on
6 Federal Every Student Succeeds Act, or ESSA, and
7 Pennsylvania's development of a State plan.

8 As Pennsylvania's Constitution grants authority
9 to Legislature in providing a system of education in the
10 Commonwealth, we are here today to review accountability,
11 academic standards, and assessments in Pennsylvania's
12 education system. Recent changes to Federal law provide us
13 with an important opportunity to plan and direct how we
14 will prepare all children for good jobs and success in
15 their future.

16 Today's hearing will be one of several on this
17 topic as the Legislature engages stakeholders and begins
18 working with students and parents to prepare input into
19 development of a State plan. We will begin today with
20 testimony from the Pennsylvania Department of Education,
21 who will provide Committee Members with an update of the
22 work over the past year and answer questions that Members
23 have.

24 This hearing will also include analysis of other
25 States' governance. We have some other folks with us

1 today, how their structures of education differ and their
2 development of State plans and how they're accomplishing
3 that.

4 Each testifier will be provided 40 minutes,
5 allowing for presentation of testimony and questions from
6 Members. We're going to try to stick to a very tight
7 schedule. Both the House and Senate have session at one
8 o'clock, so we're going to try to keep it tight and ask the
9 other Chairs that are with us this morning for remarks,
10 opening remarks.

11 Representative Hickernell.

12 HOUSE MAJORITY CHAIRMAN HICKERNELL: Thank you,
13 Chairman. Good morning, everyone. It's a pleasure to be
14 here. I want to thank the Senate Chair for reaching out to
15 us in the House to have a joint hearing today. This is an
16 important issue. And I'm not going to be long, but I look
17 forward to the testimony and the opportunity to ask
18 questions. Thank you very much.

19 SENATE MAJORITY CHAIRMAN EICHELBERGER:
20 Representative Roebuck.

21 HOUSE DEMOCRATIC CHAIRMAN ROEBUCK: [inaudible].

22 SENATE MAJORITY CHAIRMAN EICHELBERGER: Okay.
23 With us from PDE we have Matthew Stem, who's Deputy
24 Secretary of Elementary and Secondary Education, and
25 Samantha -- is it Koch?

1 MS. KOCH: It's actually Koch.

2 SENATE MAJORITY CHAIRMAN EICHELBERGER: Okay.
3 Thank you. And she's the Director of Policy. So please
4 proceed.

5 MR. STEM: Good morning. Thank you. Good
6 morning, Chairmen. Good morning, Members of the Committee,
7 and thank you for the opportunity to be here with you today
8 on behalf of PDE to share updates on the Every Student
9 Succeeds Act and --

10 MALE SPEAKER: Is your microphone on?

11 MR. STEM: I believe that it is. Should I move
12 it a little closer? Okay?

13 MALE SPEAKER: The green light's on?

14 MR. STEM: The green light is on, correct.

15 MALE SPEAKER: Thank you.

16 MR. STEM: Okay. So thank you for the
17 opportunity to be here today on behalf of the Department to
18 share updates on our work regarding the Every Student
19 Succeeds Act. Secretary Rivera sends his regrets that he
20 was unable to be here. He's actually in Washington, D.C.,
21 right now in the event with CCSSO, the Chief State Schools
22 Officers, and actually I believe later today he's going to
23 be hoping to meet with folks on the Hill for discussions
24 around these same issues. So, again, thank you for the
25 opportunity to be here.

1 We're going to try very hard to keep our
2 testimony to 20 minutes. We know that in a joint session
3 there will be lots of questions and we want to leave
4 appropriate time for questions and answers following the
5 testimony.

6 So we're going to begin with some background on
7 the Every Student Succeeds Act, and from here forward, I'll
8 just use the term ESSA, which is how we sort of refer to
9 that in the field. And we're going to start briefly with
10 some ESSA background, particularly for those new Members
11 who may need additional information and context for the
12 discussions.

13 And so when we take a look at the Every Student
14 Succeeds Act, it actually began as the Elementary and
15 Secondary Education Act in 1965, was reauthorized in 2002
16 as No Child Left Behind, and then more recently, in
17 December 2015, as the Every Student Succeeds Act. So that
18 was actually the second reauthorization of ESEA. And just
19 to bear in mind that ESEA -- the original intent of ESEA
20 was it was civil rights legislation and it was moved
21 forward to ensure equity and opportunity for all students.

22 Additionally, as a reminder, all States receive
23 substantial Federal funding, and the act and the required
24 submission of a plan are accountability metrics for States
25 that are submitted to USDE, again, as part of the

1 accountability for the receipt of Federal funds.

2 And it's important to note that the vast majority
3 of Federal funds that we receive in Pennsylvania are passed
4 directly to our schools and to our students.

5 So in looking at changes in ESSA as compared to
6 No Child Left Behind, you know, there was a lot of talk
7 when ESSA was passed that this provides more authority and
8 autonomy to States and is a significant move from No Child
9 Left Behind. And while that's true, there are certain
10 elements of No Child Left Behind which are still very much
11 in place, and we'll highlight just a few of those.

12 The first requirement of ESSA that has not
13 changed from No Child Left Behind is the requirement for
14 rigorous academic, challenging academic standards. So in
15 Pennsylvania we have the PSSA core standards that we've had
16 in place for a number of years going back to 2013, and
17 those are the challenging standards we have in place to
18 satisfy that requirement of ESSA.

19 Additionally, ESSA still requires annual
20 statewide assessments, and we're going to talk about that
21 in a few slides and get into what those specific
22 requirements are. States are still required to measure
23 success at the school level for accountability purposes,
24 and to still report data, including subgroup data. And
25 there's even an added push under ESSA for transparency of

1 reporting and accountability around subgroups, including
2 race, as well as economically disadvantaged and the others
3 that you see on your screen.

4 And finally, States must still identify the
5 lowest-performing schools in the State and develop
6 improvement plans and State guidance for the turnaround and
7 success of those schools.

8 So what has changed under ESSA as compared to No
9 Child Left Behind is greater flexibility in key areas
10 particularly around the measurement of school success. And
11 so, again, in an upcoming slide we're going to talk about
12 what these indicators now look like under ESSA, but States
13 have additional autonomy when it comes to the measures that
14 are used to determine whether or not a school is
15 successful.

16 States also have additional flexibility in
17 choosing the strategies that they're going to use to
18 identify and provide support to lowest-performing schools.
19 So in the past there were four prescribed measures under No
20 Child Left Behind for a school that was in the lowest 5
21 percent. States now have additional autonomy to decide
22 beyond those four strategies what they feel is the most
23 effective ways or are the most effective ways to turn
24 around schools.

25 And then finally, there is greater flexibility

1 for States now in terms of the way that they're able to use
2 some of their Federal dollars. They've become a little
3 less rigid in Title I, Title II, and Title IV. And again,
4 all of these are highlighting things we're going to talk
5 about in a little bit more detail on the slides ahead.

6 So as mentioned around assessments, ESSA does
7 still require annual testing in grades 3 through 8. You
8 know, one of the things that we heard early on with the
9 passage of ESSA is that States no longer -- you know, we've
10 had requests from stakeholders whether we still have to
11 test in grades 3 through 8. Couldn't we just test at
12 grades 3, 5, and 8? Do we have to have high school
13 assessments? But just to reiterate, ESSA still does
14 require testing in grades 3 through 8 and once in high
15 school in three content areas.

16 The other thing that ESSA requires related to
17 those assessments is that the State standards that are in
18 place, the assessments that States have have to demonstrate
19 alignment to those standards. And that's, you know, the
20 Federal way of ensuring that State systems are coherent and
21 aligned and that you don't have assessments that are not
22 testing your rigorous standards.

23 The third requirement in the area of assessments
24 is around participation rate. And so we get a lot of
25 questions about this one. You know, USDE still requires

1 every school to have at least a 95 percent participation
2 rate in State assessments. Now, as many of you are aware,
3 in Pennsylvania under Chapter 4 regulations we do have opt-
4 out provisions for religious exemptions. And that is
5 something that we push out even out of our office. Each
6 March we push out notification to districts reminding them
7 of parents' rights under Chapter 4. But it does certainly
8 create a tension because we have a responsibility to ensure
9 that we're testing 95 percent of our populations, and that,
10 you know, becomes somewhat of a challenge. But at the end
11 of the day, we do recognize that Chapter 4 regulations.

12 And then finally, every student at every school
13 must take the test in the testing grade and subjects. So
14 with an assessment like NAEP where you just have sampling
15 of schools, ESSA requires every school to have to take all
16 of the assessments that we offer.

17 So in terms of our current status around
18 assessments in Pennsylvania, we have the PSSA and Keystone
19 Exams that remain in place. You'll recall that the PSSA
20 exams were actually redesigned in 2015 to be aligned to the
21 PA core standards, and we just received in January word
22 from USDE, who has to review our assessments, and we were
23 one of a handful of States, only a handful of States whose
24 assessments substantially met Federal requirements. So our
25 current PSSA exam is fully authorized by USDE for the

1 purposes of ESSA.

2 We also have the PASA assessment, and that's for
3 students with significant cognitive disabilities. This
4 question came up in fact during appropriations. We had a
5 specific question around the PASA exam. So it is important
6 to note that all students must take an assessment, and even
7 some of our students that are, you know, significantly
8 cognitively disabled, they take an alternative assessment
9 called the PASA, which has a different way of assessing
10 content but is still required.

11 And then finally, the last assessment to
12 highlight is our WIDA assessments. And our WIDAs go back
13 for well over a decade, and it's the way that we measure
14 progress of our English language learners. But that's
15 going to become increasingly important under some of the
16 other changes to ESSA.

17 So in terms of assessments, we want to sort of
18 update the public on some of the things that we've been
19 talking about very publicly in terms of potential
20 opportunities related to assessments under ESSA. The first
21 one is around reducing the amount of time that students
22 spend taking the PSSA exams. And this is one that we've
23 heard a lot from stakeholders over in the past couple of
24 years. In fact, even some Members of the General Assembly
25 have shared their concerns with us around the amount of

1 time that students spend on their exams and particularly
2 the PSSA at the youngest grade levels.

3 And so right now, we've been spending the past
4 six months to a year working with our teams and
5 psychometricians and some of our external supports to
6 attempt to reduce the amount of time that is spent taking
7 the PSSA, and our goal is to have a shortened version of
8 the PSSA in place by the spring of 2018 administration.
9 And we're cautiously optimistic that we are able to do that
10 and still maintain the validity, reliability, and alignment
11 required by USDE.

12 And then the second thing that we're considering,
13 and we have to put sort of a disclaimer on this one, but
14 we're also considering this issue that I'm sure many of you
15 have heard about particularly at the eighth-grade level
16 around double-testing in mathematics. So right now in
17 Pennsylvania an eighth-grade student who's taking Algebra I
18 actually has to take four high-stakes assessments in the
19 same spring. They would take the PSSA English language
20 arts, the PSSA math, the PSSA science, and then they have
21 to take the Keystone Algebra I exam.

22 And we had tried under the waiver under No Child
23 Left Behind to get that fixed, and we were unable to do so,
24 so we would like to be able to, with support, revisit that
25 issue because we do believe that it's unnecessary for a

1 seventh- or eighth-grade student that's taking Algebra I to
2 actually have to take another PSSA math exam on top of it.

3 And very briefly also to be aware for teachers
4 and students the other challenge is when they're in an
5 Algebra I course, it's very difficult for teachers to
6 deviate from that Algebra I to teach some of the PSSA math
7 concepts without watering down their Algebra I curriculum.
8 So for both of those reasons, we want to push that.

9 However, the disclaimer is right now the ESSA law requires
10 that if you do away with double-testing at let's say the
11 middle school level, you have to then create another math
12 assessment for those students to take when they get to the
13 high school.

14 And I think we've heard loud and clear from the
15 majority of our stakeholders that Pennsylvania's not
16 inclined at this time to create another new assessment at
17 the high school level. So we're hopeful that there may be
18 opportunities either vis-à-vis a waiver or somehow through
19 the consolidated plan to make a case for Pennsylvania to
20 move away from that double-testing.

21 Now, moving on to accountability measures, what
22 ESSA requirements, as we said before, is measuring and
23 publicly reporting on school performance. So there are
24 mandatory Federal indicators, and then we have to
25 disaggregate the results on those indicators by subgroup.

1 Then, based on those calculations, we have to identify two
2 sets of schools. One are our Comprehensive Support and
3 Improvement Schools, which would be the bottom 5 percent
4 based on those calculations or any school not hitting a 67
5 percent graduation rate. And then there's our Targeted
6 Support and Improvement Schools, which are schools that may
7 not be in the bottom 5 percent but have particular
8 subgroups that do fall into those categories.

9 So our current status in Pennsylvania around
10 accountability and measurement systems is right now we have
11 in place the School Performance Profile, which is our
12 public-facing report card, and it's required as the
13 building level score for Act 82. It's important to note
14 that we don't use in Pennsylvania the School Performance
15 Profile for Federal accountability. That's a State measure
16 that we report out, and it's driven by the Act 82
17 requirement for a building-level score.

18 Right now, we identify our focus on priority
19 schools -- that's the current designation -- based on the
20 focus schools being the lowest 10 percent of Title I
21 schools based on achievement gaps, and then our priority
22 schools being the lowest 5 percent based on some aggregate
23 measures. So that's currently where we stand, and these
24 systems have to change under ESSA in some capacity.

25 So what we're considering -- and we've been

1 talking about this, interestingly, for over a year, in
2 fact, even before the ESSA law was ever passed because one
3 of the things, you know, under the Governor's direction and
4 the Secretary's leadership is this notion of accountability
5 systems being weighted overwhelmingly on one single-point-
6 in-time assessment. I think we've heard almost universally
7 that taking on measure such as PSSAs or Keystones to be
8 weighted as much as 80 to 90 percent of a school's overall
9 grade doesn't account for all of the other skills that we
10 want to see taking place in schools with students and being
11 measured.

12 And so we've talked over the past year-and-a-half
13 with over 1,000 stakeholders and have landed on a set of
14 indicators that we feel very strongly about will help us
15 get a more holistic view of schools' success. One is the
16 State assessment measures, which are not different than
17 what we have now. So we believe that elevating PSSA and
18 Keystone achievement still remains critically important for
19 student success, growth measures, and then even looking at
20 things like students moving from below basic to basic.

21 We have on-track measures in grades 3 and 7 which
22 are the opportunities for districts to produce additional
23 snapshots of students' performance at those key grade
24 levels, as well as things like chronic absenteeism and
25 language proficiency for students who are non-native

1 English speakers. So currently in our current system, a
2 student that has been in the country for more than a year
3 is tested on the PSSA or Keystone and expected to be on
4 grade level in English language arts after only a year in
5 the country. And what we made the claim early on that we
6 need schools to be held accountable for ensuring that
7 students are learning the English language, which would be
8 our WIDA assessment, and we had elevated that and then in
9 ESSA that ends up actually being a required indicator for
10 States.

11 And then finally, the only other indicator I want
12 to elevate here is this notion of the career standards
13 benchmark under our college and career-ready measures.
14 We've spent a lot of time over these past couple years with
15 our industry partners speaking -- I've spoken to several
16 Chambers of Commerce. The Secretary has spoken at more.
17 And one thing that we hear from all of our business and
18 industry partners is they need students that not only are
19 proficient in math and English language arts but also
20 students that can communicate effectively verbally,
21 students that can think critically, problem-solve,
22 collaborate, work effectively on teams, and have
23 persistence and grit and know how to fail forward and know
24 how to manage time and know how to write business letters.

25 And all of these things are actually standards

1 that we have in Pennsylvania under our career education
2 work standards but we haven't been measuring them and have
3 not been incentivizing schools to do those kind of
4 activities. And so that's something that we really want to
5 elevate forward as part of our Future Ready Index.

6 So the additional requirements for school
7 accountability under ESSA are replacing the NCLB waiver
8 indicators with ESSA indicators. And so very, very
9 briefly, the five required indicators in our system are
10 proficiency levels; some other valid academic indicator --
11 usually, that's growth, and in our case we'd be
12 contemplating PVAAS -- four-year grad rate; English
13 language learning proficiency, as I mentioned; and then a
14 fifth indicator, which is an additional academic indicator,
15 a success indicator but not falling in the other four
16 categories. And so that's where things like chronic
17 absenteeism and the career measure could become that fifth
18 indicator potentially.

19 So we have the requirement of identifying our
20 Comprehensive Support and Improvement Schools in 2018/19
21 based on '17/18 data. So we need a system in place
22 beginning next year that would generate a list of those
23 schools and that we have the responsibility of, in
24 partnership with our local stakeholders, developing and
25 implementing improvement plans for all of our Comprehensive

1 Support and Improvement Schools and based on school-level
2 needs assessments. And, again, we can probably talk a
3 little bit about that in Q&A as that comes up, but we do
4 believe that as we intervene in our most struggling schools
5 and we hold them accountable for improved outcomes that
6 they need to have the opportunity to do intensive
7 diagnostics so that they are smart in the strategies that
8 they're incorporating in their academic recovery plans.

9 So our next steps in the areas of accountability
10 really have to do a lot with oversight. You know, we know
11 that in order for our most struggling schools to turn
12 around and be successful we've got to have appropriate
13 oversight at the Department level. So we've created an
14 Office of School Improvement and are now -- basically, that
15 office is going to take the lead on all activities
16 associated with our Comprehensive Support and Targeted
17 Support Schools moving forward. And this is the office
18 that will continue to help develop the guidelines that are
19 going to be used, including the methodology for identifying
20 schools, as well as the way we're going to intervene.

21 And so those decisions have not been finalized
22 yet, and those are the conversations that we're going to be
23 continuing to have with stakeholders in the months ahead as
24 we ensure that, most importantly, the systems we have in
25 place are identifying the right schools. We should be

1 identifying those schools that truly are not serving
2 students well and then ensuring that we have the thoughtful
3 systems and the right leadership in place to initiate
4 change in those schools.

5 Very, very briefly on this slide, ESSA provides
6 on the Educator Preparation Evaluation side we have more
7 flexibility in Title II for States and schools to support
8 educator preparation. We have continuing requirements for
9 equitable access. We know in Pennsylvania that we have a
10 significant, significant shortage not only of teachers --
11 we've seen over a 50 percent drop in the last five years of
12 candidates coming out of institutions with teaching
13 certificates. But when you look at some of our specific
14 populations like black male educators and other educators
15 of color, we have a de minimis number that are coming out
16 of our schools, and we're not providing a pipeline for
17 schools that are needed to ensure equitable opportunities
18 in classrooms. And so that's an area we're going to
19 continue to look at.

20 And then finally, ESSA also does eliminate the
21 Federal requirement for States to connect student test
22 scores with educator evaluation. Again, in Pennsylvania,
23 we have Act 82, and so that change is not pertinent in that
24 arena for us.

25 So in terms of what PDE's considering moving

1 forward, we want to continue to identify the best
2 strategies to ensure effective and diverse educators and
3 school leaders for all students with a particular emphasis
4 on recruitment. Right now, we have teams that are working
5 on some recruitment materials, tools and strategies, for
6 districts to be able to use to increase their pipeline.

7 We're looking to make changes in teacher
8 preparation and preservice requirements. We know
9 anecdotally that many teachers are not day-one ready when
10 they're arriving at our schools, and we have the
11 opportunity to work with our institutes of higher education
12 to see if there are ways to increase and make more robust
13 the preparation opportunities, not just the semester-long
14 student teaching experiences but additional experiences
15 that will prepare teachers to be day one ready.

16 And then finally, promoting alternate pathways to
17 teacher certification. There are programs like Troops to
18 Teachers that we're very interested in, which is a
19 collaboration between Department of Defense and U.S.
20 Department of Education to help transition military or
21 former military members into the teaching workforce. And
22 we even have some examples now in our CTE pathways that
23 we're trying to develop secondary CTE pathways where high
24 school students can take a CTE program of studies and use
25 those credits to matriculate into secondary teaching

1 certification. In fact, one district that we're working
2 with in the western part of the State is doing that very
3 thing right now, and we're trying to support that. And
4 they would love to see it become a pipeline right back to
5 their school district.

6 So some additional important local decisions
7 around ESSA have to do with the new flexibility and
8 responsibility in spending. So under Titles I, IIA, and
9 IV, there are additional flexibilities that we're going to
10 talk about. And we just want to highlight and elevate the
11 fact that this is going to be a time where schools and
12 school boards and administrators are going to have to work
13 closely with their parents and other stakeholders around
14 exploring and collaborating with some of the new
15 opportunities they have with the Federal funds that they
16 receive.

17 So under Title I, for example, there are new
18 opportunities for schools to do things like counseling and
19 mental health programs, mentoring services, student
20 behavioral supports, and other not purely academic but
21 still student-success-related activities. Also under Title
22 I, the use of the dollars no longer has to be limited
23 simply to the three core academic subjects of science,
24 math, and English language arts.

25 And then under Title II, districts now have

1 additional flexibility for activities that they do with
2 principals and with content teachers outside of those
3 areas, including teachers in the arts and humanities.

4 And then finally, Title IV allows dollars to be
5 used for well-rounded educational opportunities such as
6 college and career guidance; music and the arts; an
7 increased focus on technology, STEM, and related supports;
8 and also improved conditions for learning with things like
9 community schools, mental health-based supports and the
10 like.

11 So as we begin to bring things to a close, just
12 process-wise we've been spending over the past year working
13 with a variety of stakeholder groups to inform and get us
14 to a point that we're at now, and that includes stakeholder
15 workgroups that operated between April and October of 2016,
16 legislative engagement activities. We've appreciated
17 meeting with many of you on an ongoing basis, as well as
18 your staffers. That's been a big value add for the
19 Department and the work that we're doing.

20 Our December and January listening tours where
21 we've been to -- we completed five stops throughout the
22 Commonwealth with a variety of stakeholders in sort of town
23 hall meetings. We still have Scranton on the agenda
24 because we had gotten snowed out for Scranton. But we also
25 want to thank many Representatives that came to our town

1 hall meetings. I think at almost every one of those stops
2 we had either Senators or Representatives that were with
3 us, and we very much appreciated that collaboration.

4 We continue to elevate on our website all of our
5 activities and updates. We are doing some intensive parent
6 engagement, particularly now as we move forward. We have
7 events set up in April and May working through the
8 statewide Parent Advisory Council and the statewide PTO.
9 We're working with some institutions of higher ed and some
10 secondary institutions to bring forward students that are
11 going to also get some opportunities to weigh in on our
12 plans before we publish our drafts. And we have some very
13 specific constituencies that we've been meeting with and
14 will continue to meet with. And again, you can see those
15 on your screen.

16 And so we're going to continue these engagements
17 over the next several months, but I think what we're going
18 to find as we work together is that we're going to increase
19 the level of specificity around some of these systems that
20 we're contemplating and position ourselves well moving
21 forward.

22 So just some important dates: On February 10th,
23 Secretary DeVos issued a Dear Chiefs letter, and
24 essentially, she was letting States know that, despite some
25 changes in regulations and other things happening at the

1 Federal level, that we were still on course for States to
2 submit their plans in either April or September. On March
3 9th, the Senate joined the House in the resolution
4 disapproval of the final accountability regulations. The
5 President hasn't signed those yet, but I think we just want
6 to share publicly that for Pennsylvania, we don't
7 anticipate that that change in pulling back those
8 regulations is going to impact the work that we're doing.
9 I think everything that we have moving forward keeps our
10 students at the center and we're going to operate within
11 the guardrails of the law itself.

12 On March 13th, USDE did release a new
13 consolidated plan template. One of the things that you may
14 have heard about the plan template, if you followed it on
15 the news at all, is that this plan template has less
16 requirements for States in terms of reporting out on
17 stakeholder engagement, but we're still very much committed
18 to our stakeholder engagement efforts and don't see that as
19 problematic for Pennsylvania.

20 And on September 18th, we are slated to submit
21 our plan for 30-day public comment. However, we do hope to
22 have a nonofficial draft version for public viewing maybe
23 even as early as early summer before the formal 30-day
24 review period, again, in an abundance of due diligence to
25 make sure that everyone has opportunities to provide

1 feedback on our plans.

2 And so, you know, I want to close by saying that
3 we have a great opportunity in Pennsylvania, and for us,
4 the work that we're doing in ESSA isn't about satisfying
5 Federal law; it's really about best serving the 1.8 million
6 students in K to 12 that are depending on us every day, as
7 well as our pre-K students and those in higher education.

8 So our consolidated plan we're confident will
9 satisfy what Federal guidelines are, but more importantly,
10 working together, we're confident that we're going to
11 position our students for greater successes in the years to
12 come.

13 So thank you for the opportunity to testify, and
14 at this point we're open for questions.

15 HOUSE MAJORITY CHAIRMAN HICKERNELL: Thank you
16 very much, very informative. We'll now move into
17 questions.

18 Representative Rapp.

19 REPRESENTATIVE RAPP: Thank you, Mr. Chairman.
20 Thank you, Mr. Stem for being here today.

21 I just have two quick questions.

22 MR. STEM: Sure.

23 REPRESENTATIVE RAPP: On the religious exemption,
24 because I've had some constituents calling my office in
25 regards -- is there a basic education circular regarding

1 religious exemptions? Because it seems that some school
2 districts have thrown up a barrier even though a parent
3 says I have, you know, some concerns in regard to my
4 religious belief, and they're actually asked to define
5 that. And so is there a basic education circular regarding
6 religious exemption --

7 MR. STEM: Right. No --

8 REPRESENTATIVE RAPP: -- or could there be?

9 MR. STEM: So that's something we could take
10 back. We actually have a team that's looking on updating
11 and creating BECs in this cycle. So there's a team in our
12 School Services Office that that's teed up for. We don't
13 specifically have one for religious opt-out, although it's
14 something we can definitely consider because it raises
15 questions from the field and from parents, and we respond
16 to those, and again, we put out yearly updates to
17 administrators. But we'll look into that. We'd be happy
18 to look into that.

19 REPRESENTATIVE RAPP: That would be very helpful.
20 Thank you.

21 MR. STEM: Sure.

22 REPRESENTATIVE RAPP: And my other question, and
23 I'll be quick here, you talk a lot about diagnostics and
24 strategies. Does that equate down the road -- just take
25 English learners, for example. Would that equate to more

1 time, more instruction to students in the classroom?

2 MR. STEM: The answer to that is it very well
3 could. It really depends on particularly schools that are
4 identified as comprehensive support. If one of their root
5 causes, for example, if they do diagnostic assessments of
6 the school and they see that one of the root causes of
7 their struggles are significant ELL populations, ELL
8 populations that are struggling, we would expect and be
9 looking for in their plans how they're going to increase
10 instructional opportunities for that population of students
11 to your example. Or it could be another subgroup or it
12 could be another root cause entirely, but one of the big
13 shifts that we're going to push for and however that plan
14 comes together is that the identification of needs should
15 drive the plan.

16 REPRESENTATIVE RAPP: And thank you for your
17 response. What concerns me is one of our hearings last
18 session was when we were talking about the testing, it was
19 stated that I think after so many attempts if there's a
20 failure, then a student can sit in front of a computer and
21 try and get through, you know, the test. When I say
22 instruction, I'm talking by a live teacher, instructor and
23 not a computer.

24 MR. STEM: Yes, we believe that robust
25 instruction by teachers working with students is the best

1 way to leverage student growth.

2 REPRESENTATIVE RAPP: Thank you. Thank you,
3 Mr. Chairman.

4 SENATE MAJORITY CHAIRMAN EICHELBERGER: Senator
5 Aument.

6 SENATOR AUMENT: Thank you, Matt, appreciate your
7 testimony. Good seeing you again.

8 MR. STEM: You as well.

9 SENATOR AUMENT: I'll try to be as succinct here
10 as I possibly can because I know there are a number of
11 Members that have questions.

12 First, I'm really pleased to see the emphasis
13 placed with this plan and other items that you're
14 considering with regard to strategies to ensure effective
15 diverse educators and school leaders for all students. In
16 the time that I've been here both in the House and Senate,
17 I've just become more convinced the importance of the
18 teacher standing in the classroom and that the number one
19 in-school factor to a student's academic success is the
20 quality of the teacher in the classroom.

21 And so I'm interested in getting a sense as to
22 some of the programs that you're considering with regard to
23 ensuring that all students have access to a high-quality
24 teacher. You mentioned potential changes with teacher
25 preparation preservice, which I think is an important

1 priority, promoting alternative pathways to teacher
2 certification. So if you'd like to go into great detail on
3 that now or schedule a follow-up conversation, I'd be
4 delighted to do that.

5 I think something else that we ought to take a
6 look at is perhaps -- and it could just be a pilot, a bonus
7 pay system, incentive pay, again, to ensure that all
8 students have access to highly effective distinguished
9 educators. I'll just sort of leave that there if you want
10 to comment on that at some point, but that could be a
11 future conversation.

12 Going to the SPP and sort of the transition
13 there, the SPP used a subgroup -- as I understand it, it
14 was titled Historically Underperforming Students as a
15 subgroup. I'm curious if the planning that's taking place
16 now if you still plan to use that as subgroup or something
17 else.

18 MR. STEM: Yes, that's a great question. So the
19 Historically Underperforming Subgroup is one of the
20 indicators in the current SPP. However, with the
21 additional push for ESSA and frankly aligned to our beliefs
22 about ensuring that all students are learning and that
23 we're transparent in that, we would propose applying
24 subgroup metrics for each of our indicators rather than
25 just for historically underperforming subgroup indicators.

1 So, for example, in our PSSA math achievement, we would
2 want to see how that achievement plays out among all of our
3 subgroups, which is really in line with what the law
4 requires for accountability.

5 SENATOR AUMENT: Additionally, the Governor's
6 budget proposal this year called for a pilot program to do
7 turnarounds in 15 schools I think across three school
8 districts if I recall correctly. Is this something that
9 you anticipate being part of the ESSA plan, as part of the
10 accountability system, or would this be a separate
11 initiative outside of the ESSA?

12 MR. STEM: Sure. No, so it falls within ESSA to
13 this extent. We want to be sure that whatever system we're
14 putting in place for all of our schools for '18/19 has had
15 some degree of vetting and field testing, and so working
16 with 15 schools, which would actually be selected from our
17 current priority schools lists, getting those schools and
18 districts and fieldtesting the things that we're proposing
19 as part of ESSA to scale up in '18/19 will ensure that we
20 have the most robust plan possible for those schools. So,
21 essentially, it would be a pilot of the types of activities
22 that we would scale up in '18/19.

23 SENATOR AUMENT: And my final question, I was
24 recently visiting schools, both traditional public schools,
25 as well as public charter schools in the last number of

1 weeks, a number of visits, and a few of the schools that I
2 had visited had in their guidance counseling department,
3 which is where I observed it, had a system by which they
4 were able to track students that had graduated from this
5 particular school and tracked their postsecondary success.
6 And I saw the report. It appeared to be an Excel document,
7 a student name, and then it gave indication to whether they
8 had -- I think if I recall correctly by semester if they
9 completed at college, both at four-year college, a
10 technical school, or a community college.

11 Does the Department of Education have the ability
12 to track for students across the Commonwealth back to the
13 LEA their postsecondary matriculation, as well as their
14 postsecondary completion by semester or postsecondary
15 graduation? And do we have any ability in addition to
16 that, as we've had this conversation around testing, to be
17 able to review any data with regard to college completion,
18 postsecondary success, and test scores be it on a Keystone
19 exam or a PSSA?

20 MR. STEM: So almost yes to all of the above. So
21 the data you're referring to exists in the clearinghouse,
22 and I believe -- I don't want to misspeak particularly on
23 the record, but I think the match rate is somewhere between
24 90 and 95 percent within the clearinghouse for the data
25 that's reported back. And in fact this is one of the

1 indicators that we want to see added to our Future Ready
2 Index. We've heard parents and other stakeholders say it's
3 not just enough for us to expect our schools to graduate
4 students but an indicator of how successful schools were is
5 what students are doing after they graduate.

6 So one of our indicators that we are proposing is
7 that we report that out as part of our system that these
8 are the percentages of students that are going to the
9 military, here's the percentage of students that are in
10 college and have persisted for 16 months, and then also
11 some workforce data, which is probably another
12 conversation.

13 To your question of whether we've identified
14 trends, our Deputy Secretary for Higher Education, Dr. Del
15 Pilar, has really done a lot of work in this regard for the
16 Department, and it's been great collaboration, you know,
17 for us and K to 12 as well. And he's begun disaggregating
18 it all out even by subgroups. The next step that we have
19 not yet taken and we'd certainly be happy to bring it back
20 to the team I think is a great question is how does that
21 correlate with achievement and what sort of claims can we
22 make about how those data correlate?

23 SENATOR AUMENT: Yes, I appreciate that and would
24 love to continue to be part of that conversation. I think
25 those are data points that are worthy for consideration

1 with the Future Ready Index. Additionally, I think we
2 should continually be reviewing our academic standards and
3 our measurement of achievement with regard to those
4 standards as that relates to postsecondary success if
5 ultimately that's the goal of college and career-ready
6 standards. Thank you. Thank you, Mr. Chairman.

7 HOUSE MAJORITY CHAIRMAN HICKERNELL:

8 Representative McCarter.

9 REPRESENTATIVE MCCARTER: Thank you,
10 Mr. Chairman.

11 Two quick questions, one dealing with -- and
12 again, I'm glad you mentioned this earlier about the
13 proposed changes coming from Washington in terms of its
14 potential impact in our carrying out ESSA requirements.
15 And you mentioned you didn't think that anything you've
16 seen so far would impact what we're doing. Is that correct
17 in the assessment or would it also -- if you could comment
18 about potential cuts of funding and how that might impact.

19 MR. STEM: Right. So there's sort of two
20 separate questions there and I appreciate you unpacking
21 that. So in terms of regulations and the law itself,
22 whether or not those regulations are signed by the
23 President pulled back of the November 28th and those
24 associated activities we don't believe are going to impede
25 our progress on our statewide planning. We believe we're

1 going to be able to keep students at the center and serve
2 them well.

3 Now, in terms of -- we know that the President
4 put out a proposed budget recently, and there are things in
5 the proposed budget that, you know, we do have concerns
6 about on behalf of the students that we serve, particularly
7 potential reductions in things like 21st Century Schools
8 and the associated afterschool programming, as well as
9 reductions or eliminations in Title IIA funding that can
10 impact some of our pipeline-type activities that we were
11 just talking about, and then finally things like Striving
12 Readers grants and other eliminations that allow for robust
13 literacy instruction for students. So we do have
14 significant concerns about the proposed budget and its
15 impact on our schools, on the money that flows directly to
16 schools.

17 REPRESENTATIVE MCCARTER: Thank you for that.

18 The second question deals with the Office of
19 School Improvement under the plan and how that will develop
20 the strategies and so forth to be able to overcome schools
21 identified in CSI. Would that also apply to charters,
22 individual charter schools and --

23 MR. STEM: That is correct. And right now, even
24 in our current designations of focus and priority schools,
25 we have a number of charters in addition to a number of

1 non-charter public schools. So that would continue to
2 apply to our charter schools as well.

3 REPRESENTATIVE MCCARTER: Okay. Thank you very
4 much.

5 SENATE MAJORITY CHAIRMAN EICHELBERGER: Senator
6 Dinniman.

7 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: Yes. Good
8 morning, Matt and Samantha.

9 MR. STEM: Good morning. Good to see you.

10 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: It's good
11 to see you.

12 As you know, I've been studying what you've been
13 doing in my 10 years as Minority Education Chair, and I'm
14 going to ask you a couple questions, but I understand if
15 you can't answer them now, you'll send the information to
16 the Committee.

17 It's all good and well for us to try to set
18 standards and measure them, but the cost has been
19 excessive. And it fills into the question that my
20 colleague in the House had asked about Federal funds.

21 As you know, one company, DRC that does our
22 testing, has received in eight years \$742 million from the
23 State and has received from the Department of Education a
24 number of contracts, amendments to those contracts, and two
25 no-bid, sole-source extension of their contracts. As you

1 also know, in the last 18 months if we look at the 2015/16
2 -- excuse me, 2016/17 -- since June of 2016, the Department
3 has spent \$115 million on contracts that have involved the
4 matter of testing and measurement. That's more than the
5 total amount of money we're going to make available in the
6 basic education supplement.

7 We also know that a conservative figure would be
8 -- you know, that's hundreds and hundreds more thousands
9 and into the millions.

10 We also know that a conservative figure is that
11 when this first came before us when the Department first
12 presented us it was a \$300,000 unfunded mandate in the
13 schools. It's now approaching about \$500,000 unfunded
14 mandate in the school.

15 So the question that I think and the information
16 I'd ask you to provide to our Chairs and to the Committee
17 as a whole is the total expenses of this program since 2008
18 because I believe it's between \$1.2 and \$1.3 billion, and
19 that's a lot of money. And in addition, you're asking for
20 another \$58 million in this contract. And the reason I ask
21 this is because if the money is being spent on the testing
22 and measurement, it's not going to get to the schools and
23 into the classroom and into the teachers. And if the
24 Federal Government is cutting and we don't have the money,
25 we have a problem.

1 An example of this problem is if you look at the
2 William Penn School District, an article that appeared in
3 the *Inquirer*, they have 50 students -- it's a poor
4 district. They can't raise their taxes anymore. There's
5 not the resources there. They're going to get very little
6 from us in the basic education funding formula. They have
7 50 homeless students, 60 students who are in foster care.
8 And essentially what they said in that article was we don't
9 have the money to help the students who need the help
10 because we have to put it into the programs that are
11 related to testing.

12 Let me then ask a question to focus in on what
13 I'm saying. The way this testing and measurement and the
14 over a billion dollars that we have spent on this, the part
15 that just bugs me and that I find so egregious is this:
16 that the students who are in need, the students who come to
17 school traumatized, the students who will never increase
18 their test scores until we meet the health, both physical
19 and emotional, of those students are not being helped. And
20 what we do is we give them a test and they failed it, and
21 then we stamp failure on those students and those teachers.

22 And so how does all this test and all this
23 measurement and -- you know, you have the most amazing
24 system with computers and measurements and everything. How
25 is that helping the average student in this Commonwealth?

1 Wouldn't we be far better off spending this money in the
2 classroom and helping the students who are failing the test
3 rather than figuring this out? Because you know from the
4 studies that have been done, including the study at Penn
5 State, the only correlation that these tests have is with
6 poverty, and we're spending over a billion dollars to
7 understand that and the education level of their parents?
8 Figure out a cheaper way to do this, and let's spend the
9 money on the students.

10 And by the way, even on the Keystones, all you
11 have to do is do what seven other States did and they used
12 the SATs and ACTs and have gotten a waiver from the Federal
13 Government. But when I've asked the Department to do it,
14 the Secretary has not been willing to go forward on that.

15 So explain to me how these vast sums of money
16 that you're measuring things but we're not helping anyone
17 in the classroom go forward? What are you doing?

18 MR. STEM: Yes. So I think that's precisely why
19 we're looking to make some of the changes in the system
20 that we're making now. We've seen in recent years a lot of
21 good things have come from high-stakes testing
22 accountability, but there's been some unintended
23 consequences that have gone along with that, and some of
24 those being a narrowing of the curriculum where, as you
25 point out, if schools are not incentivized to provide all

1 of the robust supports that students need, if they're
2 struggling in school and a root cause is attendance or a
3 root cause is access to food and clothing or a root cause
4 is some socioemotional challenge or barrier a student is
5 having, if our systems aren't measuring and incentivizing
6 those things and creating those conditions, we're going to
7 have a system that's overly focused and narrowed on one-
8 point-in-time assessment.

9 And I think we would agree that taking a student
10 who fails an assessment and instead of fixing the root
11 cause is to just give them the assessment again and then
12 make them keep trying to hammer through that for years on
13 end is not effective. So we believe in the systems we're
14 putting together we're actually trying to address that,
15 particularly in how we intervene in our struggling schools.
16 We want to see recovery plans that are holistic and involve
17 community school strategies, school-based mental health
18 strategies, and attendance strategies and move away from
19 some of the issues that we see now.

20 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: But may I
21 suggest to the Department that we don't need to spend a
22 billion dollars to figure out that a student who's poor
23 might need a school breakfast program or might need schools
24 or community programs that can work or that a student comes
25 to school traumatized. We know the problems, and all the

1 intricate measurements of these problems is a nice thing,
2 but to spend a billion on that rather than to help the
3 student where the student is at makes no sense to me.
4 You're identifying these factors and with the most
5 complicated systems that you have. I'd rather spend the
6 money directly on what we know. We don't have to -- it
7 doesn't take a lot of testing to understand what a poor
8 student needs or doesn't need.

9 And in my area, which has some of the best
10 schools in the Commonwealth, one of the wealthiest
11 districts in Pennsylvania, these schools don't need you
12 telling them what they need to improve because they're
13 already there. Conestoga High School with a 99 percent
14 postsecondary rate, 100 percent graduation rate, 64
15 National merit Scholars or letter of commendation. In
16 fact, what the message they asked me to give you and the
17 Department and to the State and Federal Government is keep
18 your nose out of our business. We're doing quite well
19 without you.

20 REPRESENTATIVE TALLMAN: Amen.

21 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: And so I
22 just don't understand. And the final thing, Mr. Chairman,
23 if you'll allow me is this: Even the way you've done the
24 stakeholder groups, I look to figure out the composition of
25 those groups. And the majority of members of each of those

1 groups, the stakeholder groups that are supposed to come up
2 with the new ESSA plan, the majority of the stakeholders
3 are school administrators. They are followed by people who
4 -- the ABCs who run the education establishment and soak up
5 all the money instead of it getting to the students, all
6 the consultants and all the societies.

7 And then there's teachers. There are no parents,
8 there are no students or plain taxpayers. So you've
9 developed a task force which leaves out the consumers and
10 leaves out the people who pay for it. Now, I know that you
11 and the Secretary have said to me don't worry, Andy, we're
12 getting to the parents and the taxpayers and I know that
13 you will. But the question is it's not a matter of getting
14 to them. They deserve to be there at day one because too
15 often we go about creating educational policy and then sort
16 of perfunctorily say what do you think about it,
17 Mr. Parent, what do you think about it, Mr. Taxpayer, what
18 do you think about it Mr. Student, and never ask the
19 community and it doesn't get involved and there will not be
20 change in education until you have parental engagement and
21 you're developing a program where you're asking the parents
22 in a perfunctory way. I mean, why don't you put them in at
23 the very beginning?

24 MR. STEM: No, so what I would say, though, is
25 we've actually had quite a bit of parent input throughout

1 our whistle-stop tours and throughout various other
2 initiatives that we've put in place. In fact, even
3 recently, in working on a report that the Department is
4 designing that is designed for parents regarding the
5 results of PVAAS achievement for students, we've actually
6 had parent stakeholder groups that have helped us inform
7 the design of those reports, what's communicated, what
8 shouldn't be communicated, and have directly helped us to
9 pull those things together.

10 So we have been engaging parents throughout.
11 We've even disaggregated some of those results that come
12 back to us when we gather feedback. And then as we move
13 forward, parents are very much going to be at the table
14 again. We're working with our statewide Parent Advisory
15 Council and our statewide PTO to even get more detailed
16 feedback far before any decisions are made. And I think
17 that's the most important thing that they're going to be
18 able to --

19 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: But why
20 weren't they there in the beginning when you established
21 your task force. You did not put parents on the task
22 force, and I believe you're not going to have improvement
23 in education till parents and the community have a direct
24 say. Thank you. And I appreciate that.

25 And I'm not sure that at least in terms of Act I

1 you guys are really within the legal guardrails because you
2 continue to do the testing despite the unanimous passing in
3 this Legislature that says there is to be no Keystone test
4 over the next two years. And there will be a lawsuit
5 announced in the next couple weeks to take on the
6 Department for not respecting the legislation that has been
7 passed by this Legislature. Thank you.

8 HOUSE MAJORITY CHAIRMAN HICKERNELL: Okay. We
9 have three more House Members that have questions. I would
10 remind the Members that we're starting to get behind, so
11 Representative Tallman.

12 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: I only did
13 this once so --

14 REPRESENTATIVE TALLMAN: Thank you for that
15 admonition, Chairman Hickernell.

16 Thank you, Secretary Stem, for being here. And
17 you heard me say amen to Senator Dinniman's comments and
18 kind of same thing. Now, we've had a lot of conversations,
19 but I kind of want to get your take on the record here. So
20 we test every student. Multiple countries do not. We
21 dropped three notches just several months ago in math. We
22 went from 27 to 30, and there's a lot of broad comments.

23 I mean, as far as I'm concerned, ESSA and No
24 Child Left Behind, Federal Government has no jurisdiction
25 at all in those. It's nowhere in the Federal Constitution,

1 U.S. Constitution that they're to have any involvement in
2 education, and yet they do. So we require too much
3 testing, PSSA and Keystones. Keystones would never have
4 passed a General Assembly. The State Board had to do it
5 because we were going to refuse to do it.

6 So we've burdened our teachers with this testing
7 requirement. You know, there was a unique coalition
8 formed. We had teachers supporting us conservative
9 Republicans on our goal to not have this kind of testing.

10 So ESSA really didn't do away with the testing.
11 So what are we doing to actually allow teachers to teach?

12 MR. STEM: So a couple things. I think, number
13 one, to your point, that's correct. ESSA, as I shared in
14 the presentation, did not do away with testing requirements
15 in grades 3 through 8 and three exams at the high school,
16 and also as I shared, hasn't really even created the
17 pathway for us to eliminate the double-testing in seventh
18 and eighth grade. So those challenges exist.

19 I think, you know, the challenge and opportunity
20 we have is -- and now, I spent 22 years in the field before
21 coming to the Department, so I was in the field before we
22 had high-stakes testing and accountability and then
23 certainly was around for many years after that. One of the
24 good things that came out of that and that I think needs to
25 be acknowledged is that we had a number of schools that

1 were okay not serving certain their students well. And in
2 those schools it was felt that, you know, students, for
3 whatever barriers, wouldn't maybe be able to learn. And
4 one of the good things that happened is under
5 accountability a light was shed on that and schools were
6 compelled to make sure that all students were learning.

7 Now, as you point out, there are unintended
8 consequences that can happen in systems, and I think we've
9 seen a lot of that and we've heard that narrowing the
10 curriculum, the time spent on testing is taking away from
11 instructional time. And we're in agreement with that. So
12 we are looking to reduce the amount of time spent testing
13 on PSSAs, and we're looking to create conditions where
14 schools feel liberated to teach beyond those content areas
15 and be sure that students are celebrated for successes in
16 other areas and that we're able to communicate to the
17 public and bring a little bit more balance to what's
18 happening in classrooms because I've lived and we've seen
19 and heard the same things, and we believe our students
20 deserve better.

21 REPRESENTATIVE TALLMAN: Thank you.

22 HOUSE MAJORITY CHAIRMAN HICKERNELL:
23 Representative Roebuck.

24 HOUSE DEMOCRATIC CHAIRMAN ROEBUCK: Thank you.

25 I looked at the presentation and the very

1 beginning you talk about the ESSA continuing the NCLB
2 requirement, a statewide test in grades 3 to 8 and then
3 once in high school. And I'm curious why if you're testing
4 measurement of academic success you only test once in high
5 school and every other year up to that point.

6 MR. STEM: Yes, I'm not sure I know the full
7 answer to that. Now, it's actually three exams in high
8 school, so you have to test science, math, and English
9 language arts at the high school level, and the requirement
10 has always been one year. I can't really speak to how or
11 why that came about, but it's viewed as a critical measure.

12 HOUSE DEMOCRATIC CHAIRMAN ROEBUCK: I also put
13 that in the context of believing that you need to
14 restructure the way we do education. I sit on the board of
15 my local community college, and I used to chair their
16 Academic Affairs Committee, which was the process of
17 evaluating core success. Almost invariably when we had
18 such an audit the first words out of the mouth of those
19 making the presentation was we have too many kids who need
20 remediation. And I'd always ask the same question: Do you
21 know who they are by name? Do you know what high schools
22 they came from? Yes. And I said do you ever go back to
23 those high schools and say you're not doing a very good
24 job? Dead silence. God forbid that a college professor
25 should talk to a high school teacher.

1 But the reality is there is a continuum, and
2 there ought to be conversation between colleges and high
3 schools as to what you expect them to do to get kids to the
4 college prepared for success. Or if you're in a vo-tech
5 program, whatever it is, there have to be those
6 conversations. That doesn't happen. I don't understand
7 that.

8 MR. STEM: I --

9 HOUSE DEMOCRATIC CHAIRMAN ROEBUCK: And that's
10 nothing to do necessarily with the law so much, but if
11 you're looking at success, what should be our measure, when
12 why don't we do very basic things?

13 MR. STEM: No, I couldn't agree more. And I
14 think we as a Department and especially under Secretary
15 Rivera's leadership sees what we do as pre-K to 20 and that
16 we need to do a better job of breaking down barriers. In
17 fact, to your point about the disconnect between what's
18 happening at high schools and higher education, there's
19 absolutely no doubt that that's happening. And one of the
20 initiatives that we have coming up -- in fact, I think I'm
21 going to be able to help kick things off at an event in
22 April -- is we're pulling high school counselors along with
23 institutions of higher ed together -- are we at Temple? Is
24 that where we're at?

25 MS. KOCH: Yes.

1 MR. STEM: We are at Temple for that. I couldn't
2 remember where the location was. And it's a joint venture
3 between Dr. Del Pilar's crew and my team in K to 12, and
4 we're actually trying to take down some of those barriers
5 and use our high school counselors as a key in bridging the
6 college needs to where the student gaps are and helping
7 create that alignment. And so we have that coming up in
8 April as a joint venture.

9 Do you want in?

10 MS. KOCH: Yes, I do just want to jump in. So
11 the question before around remediation and to your point,
12 Senator Aument, around sort of data that we have on college
13 going, I do want to note that currently, the only
14 remediation data that we do have available is with our
15 community colleges. We currently have no authorization to
16 collect that information from other postsecondary
17 institutions. And so it does create a real gap. While we
18 can see how students succeed in persisting from one
19 semester to the other and if they ultimately complete, we
20 have no information other than from our community colleges
21 around the remediation rates, which does create a
22 significant challenge around knowing what districts are
23 struggling with that from a broad K-12 to postsecondary
24 stance. So I just wanted to note that for the Committees.

25 HOUSE DEMOCRATIC CHAIRMAN ROEBUCK: If I could

1 just make one other obviously, and it goes, again, to using
2 resources more effectively, some years ago I went into a
3 school in my district in Philadelphia, which was composed
4 of Latino and African American kids. And the principal was
5 very proud that when he came to that school the Latino kids
6 who were English language learners had been isolated when
7 the school -- he had fully integrated them into the school
8 population so that by the time they got to fifth grade they
9 were fluent in English. And I said that's excellent. And
10 the African American kids are fluent in Spanish, right?
11 Well, no. Well, why don't we do things like that? We have
12 a very diverse immigration population in Philadelphia. If
13 we would create schools where we took kids who were
14 learning English paired on kids who wanted to learn their
15 language, we could create an excellent model of success.
16 And then maybe we stop thinking of immigrants as somehow
17 the evil forces in the world that we seem to think of them
18 as now.

19 The reality is these kinds of innovations don't
20 cost a lot of money, but they make education more
21 effective. They aren't going to cost billions of dollars,
22 but they open opportunities. And that's what I think I
23 would like to see when we talk about this new education,
24 that we're going to make education better, not just keep
25 doing the same thing over and over again and expecting a

1 different result.

2 MS. KOCH: Yes.

3 HOUSE MAJORITY CHAIRMAN HICKERNELL:
4 Representative Phillips-Hill.

5 REPRESENTATIVE PHILLIPS-HILL: Thank you,
6 Mr. Chairman.

7 Secretary Stem, great to have you here.

8 MR. STEM: It's good to see you.

9 REPRESENTATIVE PHILLIPS-HILL: I wanted to follow
10 up on many of the wonderful things that have been said here
11 about our concerns with testing. And you discussed
12 reducing the amount of time that students have to spend on
13 PSSAs and testing. You didn't talk at all about, you know,
14 the movement towards mass customization of education of our
15 students and the need to have testing become more adaptive
16 so that it can inform educators and parents to help improve
17 instruction in the classroom. Have you taken any steps to
18 make the testing, while reducing it, making it more
19 responsive to the needs of the students and really to the
20 needs of the educator to improve that child's education?

21 MR. STEM: Yes, mass customized learning and
22 personalized learning is a central goal for us, and we
23 believe the only way the students are going to be
24 successful is if the conditions exist where teachers are
25 able to nimbly and flexibly differentiate for all of their

1 needs. In fact, that was the theme of our SAS Institute in
2 December. So I fully agree with your point there.

3 When you look at what we proposed in the Future
4 Ready Index, we know a lot of schools are using computer-
5 adapted instruction that moves up or down grade levels
6 based on where student needs are and, you know, I could
7 name some of those by name. You know, for using a system
8 like that as part of what we would do for ESSA is
9 challenging because we have to only have one assessment as
10 it requires only one assessment for an entire State for
11 grades 3 through 8, whatever that assessment is. And
12 certainly shifting the entire State to a new system like
13 that would create challenges.

14 However, under the Future Ready Index, we have
15 the opportunities at grades 3 and 7 for schools who are
16 already doing additional testing like that to be able to
17 elevate those results for their community. These are
18 assessments that students are taking, and at the very
19 least, schools should be able to highlight those and share
20 those with their communities so they know what those
21 indicators mean for their students. And so our tool would
22 offer them that opportunity at grades 3 and 7.

23 REPRESENTATIVE PHILLIPS-HILL: Currently, the
24 results from a student's PSSAs arrive in mom and dad's
25 mailbox in the September/October of the following year

1 after they've taken the test, right? So, you know, my kid,
2 I'll pick on them, Gavin didn't perform well on sequencing,
3 but his teacher didn't get that result until he was in the
4 next grade. I as his parent did not get that result until
5 he was in the next grade. I've lost an entire summer where
6 I could have hired a tutor --

7 MR. STEM: Sure.

8 REPRESENTATIVE PHILLIPS-HILL: -- worked with him
9 at home by myself, and that teacher didn't have the
10 opportunity to reinstruct based on the knowledge that, you
11 know, maybe many of their students didn't do well in
12 sequencing and they need to adjust their instruction
13 approach or maybe it's just my kid.

14 So, you know, the information that we are
15 spending a huge amount of money and a huge amount of time
16 is not actionable if it's not received back to the
17 educators and the parents in a timely fashion.

18 So what are we doing to make sure that those
19 results -- we're spending a huge amount of money. If we're
20 going to have to spend this money and we have to test our
21 children, yes, let's reduce the time but let's also make
22 that information useful.

23 MR. STEM: I 100 percent agree, and what we're
24 looking to do hopefully as part of reducing testing time is
25 also reducing the time that it takes to turn those results

1 around because we absolutely agree that the faster we can
2 get those results into parents' and students' hands, the
3 more actionable that those results become. And we
4 appreciate your support and push for that.

5 REPRESENTATIVE PHILLIPS-HILL: So do you have
6 anything -- you know, is there anything tangible? Do you
7 have any idea of how much time we can reduce?

8 MR. STEM: So we do, and I think we'd be
9 interested in sharing those in the weeks ahead. I think
10 we're getting to a point now where we're granular enough to
11 see what percentages of time at which specific grade levels
12 we can reduce while still maintaining validity and
13 reliability, and we're excited about, you know, keeping
14 that momentum moving forward. And we'll certainly include
15 members of the General Assembly in those detailed
16 conversations.

17 REPRESENTATIVE PHILLIPS-HILL: I'd appreciate
18 that. Thank you so much.

19 MR. STEM: You're welcome.

20 SENATE MAJORITY CHAIRMAN EICHELBERGER: Okay.
21 Thank you, folks. We appreciate you staying a little
22 longer than we asked you to initially. So --

23 MR. STEM: Thank you.

24 SENATE MAJORITY CHAIRMAN EICHELBERGER: Next up
25 is the Education Commission of the States, Julie Woods,

1 Policy Analyst; and Kate Wolff, External Affairs
2 Coordinator.

3 Just one of you today?

4 MS. WOODS: Yes.

5 SENATE MAJORITY CHAIRMAN EICHELBERGER: Make sure
6 that -- no.

7 MALE SPEAKER: The green light has to be on.

8 MS. WOODS: Can you hear me now?

9 SENATE MAJORITY CHAIRMAN EICHELBERGER: Okay.

10 MS. WOODS: Great.

11 SENATE MAJORITY CHAIRMAN EICHELBERGER: And you
12 are?

13 MS. WOODS: I'm Julie Woods, the Policy Analyst
14 from Education Commission of the States. Unfortunately,
15 Kate Wolff, who's the Pennsylvania State Relations contact
16 for Pennsylvania wasn't able to join us, but she is
17 planning on coming to visit Pennsylvania again soon if
18 you'd like to talk to her.

19 SENATE MAJORITY CHAIRMAN EICHELBERGER: Okay.
20 Okay. If you want to start with your presentation. Thank
21 you.

22 MS. WOODS: Great. Chairman and Members of the
23 Joint Committee, thank you so much for having me here.
24 Like I said, my name is Julie Woods. I'm a Policy Analyst
25 at the Education Commission of the States.

1 For those of you who are unfamiliar with our
2 organization, we work with all 50 States, work with State
3 leaders in those States to help them with their education
4 policies. We're a nonpartisan, nonprofit organization
5 created by the States for the States. So we believe in the
6 power of learning from experience. We know informed
7 policymakers make better education policies.

8 So in pursuit of that mission, what we do is
9 provide research and reports, counsel, and opportunities to
10 convene State policymakers from all over the country so
11 that they can share ideas. So on that note, if you haven't
12 considered coming to our national forum at the end of June,
13 we would love to have you there.

14 So I was invited here today to talk about a
15 number of issues under ESSA and what we're seeing from our
16 50-State perspective. So today I'll move pretty quickly
17 through education policy governance across the States and
18 what we're seeing as far as ESSA stakeholder engagement,
19 and then I'll go briefly through some of what we're seeing
20 in ESSA State plans related to teachers and leaders,
21 accountability, and assessments. And I'll try to skip over
22 the parts that I think PDE has already covered so that we
23 can save some time.

24 So please feel free to interrupt me with
25 questions. I know I'm going to go pretty quickly.

1 So starting with the State Constitutions and what
2 they say about education policymaking, as I'm sure you're
3 aware, the Pennsylvania Constitution says that the General
4 Assembly shall provide for the maintenance and support of a
5 thorough and efficient system of public education to serve
6 the needs of the Commonwealth. So this is really similar
7 language to many other States' Constitutions. And, you
8 know, so one of the ways that Pennsylvania differs is that
9 this is basically all that it says. So it doesn't provide
10 a lot of the details of authority of the Legislature; State
11 Education Agency, the SEA; or the Board of Education, which
12 some other Constitutions do, certainly not always.

13 So then where else does this authority over
14 education come from? Often, from statutory authority,
15 statutory language delegating authority to the State Board,
16 the Superintendent, the SEA is common, but it varies in the
17 level of detail quite a bit across the States.

18 And then also we know that the division of
19 authority can be found in a lot of custom and practice that
20 develops over time. So I think it's really common to find
21 that authority over education isn't necessarily going to
22 match up exactly with what you see in a State Constitution
23 partly because it's just being interpreted over time by a
24 lot of different people, and it's also affected by what you
25 see on the screen, the governance model of the State. So

1 you can see that Pennsylvania is similar to 10 other States
2 in that the Governor appoints the State Board Members and
3 the Chief State School Officer.

4 So in the electronic version of the handout that
5 you have I've provided you with some links to other State
6 Constitutions so that you can really see the variation and
7 the similarities for yourself. And I've also selected
8 Constitutions from each of the different governance models
9 that we see across the States. So if you're really
10 interested in this topic, I've provided some other
11 resources that I highly recommend checking out that can
12 allow you to compare your State to a lot of other States in
13 the specific areas you're interested in.

14 So I'm not going to go over each of the different
15 governance models listed in your handout, but I'd like to
16 use Virginia and Massachusetts as an example here. So in
17 Virginia and Massachusetts, the Governor appoints the
18 Board, and then the Board appoints the Chief. So same
19 governance model, but in Virginia, the Constitution is
20 really quite similar to Pennsylvania's. It has the same
21 basic language about maintaining a system of public
22 education. And then in the Virginia statutes, in the law
23 it elaborates on the authority and gives general
24 supervisory power over education to a State Board.

25 Massachusetts' Constitution is actually quite

1 different. It says something along the lines of it's the
2 duty of legislatures and magistrates to cherish the
3 interests of literature and sciences, and then it goes on
4 and on sort of like that. So then because the
5 Massachusetts Constitution isn't very clear about the
6 distribution of authority, the statutes describing the
7 duties of the Department and the State Board and the SEA
8 are really quite detailed.

9 So the education clauses of the other States I've
10 listed, those are really pretty similar to Pennsylvania,
11 and I think the details don't matter so much as seeing that
12 the education clauses in these State Constitutions are
13 often really pretty similar, but the way that education
14 policymaking shakes out in the States can vary quite a bit.

15 So just to hit on ESSA here, ESSA planning and
16 implementation as far as governance models, we can't really
17 say, you know, that one State is doing better or worse than
18 another partly because it's really early in the planning
19 and implementation phase but also partly because what's
20 right for each State is really going to vary.

21 So then getting more into ESSA specifically, as
22 you know, ESSA designates some specific responsibilities to
23 the SEA. They must consult with a list of stakeholders in
24 a timely and meaningful manner on planned development.
25 They develop the State plan, file that plan with the U.S.

1 Department of Education, and then periodically review and
2 revise that State plan as necessary to reflect changes that
3 the State may make.

4 So that takes me into the ESSA State planning
5 process and stakeholder engagement. So ESSA requires the
6 State plan to be developed by the SEA with timely and
7 meaningful consultation with all of these individuals and
8 groups that you see here. The language that was originally
9 in the No Child Left Behind Act is in bold, so you can see
10 we've really added quite a few stakeholders to this list.

11 So State variation in stakeholder engagement
12 really ranges from complete transparency about every step
13 and all the stakeholder feedback to mostly just keeping the
14 public informed about the SEA's work developing the plan.
15 So most States so far fall somewhere in the middle, and so
16 some common themes here have emerged. So it's common to
17 use a State website to publish versions of the draft, as
18 well as to get public feedback online. Webinars, social
19 media, and email, these have been used a lot to educate the
20 public and also to hit specific groups. So to educate a
21 school administrator, say, about what ESSA means for them,
22 listening tours, and stakeholder feedback meetings are also
23 common. These are open to the public. And then
24 opportunity to comment on draft versions, we're seeing
25 these opportunities quite a bit online especially. And

1 lastly, convening these committees of diverse stakeholders
2 often multiple times usually with a specific purpose like
3 we're gathering information on accountability specifically.

4 So some of the factors that can contribute to
5 some of this variation across the States and maybe a
6 State's success in doing this, the timing of the meetings,
7 are they spread out or are they clustered together? That
8 can affect whether folks can attend. How well and widely
9 communicated these opportunities are to the public, whether
10 you provide both in-person and online opportunities to
11 comment, and then just how well-informed the public is
12 already about some of these content areas. So if your
13 public doesn't already understand your school report card,
14 they may not have a very good time of it trying to explain
15 what else they think it needs.

16 So then we've seen some States that have really
17 gone above and beyond in their stakeholder engagement, so
18 I've provided a few examples here. Colorado has really
19 done a good job of organizing and publicizing its State
20 plan development process. So this is sort of based around
21 a wheel, so they have these spoke committees that focus on
22 key content areas like assessments and then a hub committee
23 that provides oversight and kind of pulls all the ideas
24 together. Within both the hub and spoke committees, there
25 are representatives from the Governor's office; there are

1 legislators.

2 Colorado has also had really active parent
3 engagement, so the SEA has met multiple times with a key
4 council of parents, families, and communities. This
5 council has provided recommendations then to the SEA, and
6 then those recommendations were distributed to those spoke
7 committees. And then the SEA has just done a lot of
8 outreach to the PTA there just to make sure parents are
9 really involved.

10 In Connecticut, they've really focused from the
11 get-go on vision and goal-setting, which is something that
12 we're hearing a lot from experts about, that before you
13 even touch that State plan, think about the vision for your
14 State and what its educational goals are. So the
15 Connecticut Board collected a lot of feedback first on the
16 vision and State goals before even starting on setting
17 priorities for the State plan. Connecticut also utilized
18 its Regional Educational Service Centers to reach out to
19 folks and do some focus groups.

20 Maryland I just think is interesting because part
21 of their plan, part of their ongoing ESSA implementation
22 process will include a survey to annually assess the
23 effectiveness of community and family engagement, so asking
24 the public whether they are engaging those folks
25 appropriately.

1 Michigan similarly to Colorado has just done a
2 really good job of being organized and transparent.
3 They've created multiple teams of voices so they have
4 action teams that include parents, teachers, subject matter
5 experts, and SEA staff all together that are charged with
6 plans for key content areas, and then they have an external
7 advisory committee that includes legislators,
8 representatives from the Governor's office who all review
9 the plan with their internal ESSA leadership team, which is
10 the State Superintendent and his cabinet.

11 Ohio is just the only State we've seen use a
12 hashtag to hit a broader audience and receive comments on
13 their draft plan that way.

14 And then lastly, in Washington, we've seen
15 legislators, Governor's staff, board members all part of
16 one consolidated planning team that advises the State
17 Superintendent.

18 So let me move quickly through some of the
19 content areas of State plans and what we're seeing in the
20 States. There's not a ton that's particularly new in ESSA
21 related to teachers and teacher accountability
22 specifically, so I'll just hit some of the highlights here.
23 ESSA eliminates the highly qualified teacher provisions of
24 No Child Left Behind. It also requires that State and
25 local report cards include the professional qualifications

1 of teachers, including some of these key groups on the
2 screen. And then under NCLB waivers, States had to
3 implement a teacher and school leader evaluation system.
4 This is no longer a requirement. In fact, the law
5 explicitly prohibits the Department from prescribing
6 specific characteristics or measures of an evaluation
7 system.

8 So given all of that, we can't really predict
9 what States will do with teacher evaluations, but I just
10 want to point out that so many States have implemented new
11 systems since 2011 that we may not see a lot of immediate
12 movement in this area.

13 The accountability indicators I think PDE covered
14 pretty well. There's five main required accountability
15 indicators, and that last indicator, the school quality or
16 student success indicator is where we expect to see the
17 most action in State plans because it's a little new to a
18 lot of States. So States can choose whatever indicator
19 they'd like for this school quality student success
20 indicator, but the law provides these examples that you see
21 on the screen.

22 So a lot of States are still in this feedback-
23 gathering phase, especially for some of the details like
24 what to choose for this indicator. So they haven't settled
25 on one. But we do know generally States are considering

1 some basic categories here. So attendance-related
2 indicators like chronic absenteeism, dropout rates, these
3 are good because States are already collecting this
4 attendance data, and some research has shown, you know, a
5 link between attendance and student success.

6 We're also seeing indicators related to those
7 transition spaces, so grade 8 students taking a high school
8 math course, whether students are on track to complete
9 ninth grade or to graduate high school. And then related
10 to that, college and career-readiness indicators are pretty
11 popular, so that might be whether AP courses are being
12 taken, postsecondary credit, some of the things that have
13 been discussed previously.

14 And then lastly, a few States are considering
15 these social emotional or school culture and climate
16 measures, so that might be student or teacher engagement,
17 which would be measured through a survey, or maybe access
18 to well-rounded education, so whether kids have access to
19 music or arts classes.

20 But the biggest issue we're seeing with these is
21 that they're a little fuzzier, so it can be more difficult
22 to collect this data. These social emotional indicators
23 are also pretty new so there's just not a ton of research
24 supporting their use.

25 One of the things we've been hearing a lot from

1 experts on this indicator particularly is if you're
2 interested in something but you don't know how your State
3 would collect that statewide and be able to compare it
4 across all students, pilot the use of it in a district or a
5 handful of districts and try it out first. You know, you
6 don't have to attach high stakes to it initially so you can
7 test it out before pushing it statewide.

8 So PDE covered the school report cards quite a
9 bit so I won't spend a lot of time here, but just to note
10 that this is a controversial issue we've been hearing for a
11 long time, even before ESSA, from the States on, especially
12 whether to use an A through F score for a school. You
13 know, a lot of folks don't appreciate the school being
14 narrowed down to a single grade or a score. It really
15 doesn't necessarily reflect the nuance of that school. And
16 our most recent count of States using that A through F
17 grading system is about 17 States.

18 And then PDE went quite a bit through the school
19 improvement strategies as well, but I'll just note that, as
20 they mentioned, the big change here is that strategies for
21 improvement aren't prescribed anymore by law so there's a
22 lot more flexibility in what you do.

23 So I'll go lastly through assessments. This is a
24 really rapidly moving target for us to keep track of with
25 all 50 States, so most States, because there's been so much

1 change over the past few years seem to be planning to
2 retain their current assessment system and not make huge
3 changes. I think they've really experienced some change
4 fatigue over the past few years, so they're unlikely to
5 then subject schools and districts to more change.

6 We do know some States are looking into some more
7 innovative options that are available in ESSA, but that's
8 likely to be down the road. These can be more costly and
9 more challenging to implement, so States are really
10 approaching with caution.

11 So I provided you with our current counts of some
12 of the assessments States are using other than State-
13 specific tests. So the folks that are using PARCC and
14 Smarter Balanced Assessment Consortia tests, you see that
15 in grades 3 through 8, and then in high school I think what
16 you see is there are fewer PARCC and Smarter Balanced
17 States, and you can see more ACT or SAT use as a
18 replacement. So that's a key change we've seen, especially
19 from last year 2015/16 school year to this year is that
20 shift. So five States have shifted away from a consortia
21 test to the ACT or SAT. One State shifted away from its
22 State-specific test to a college entrance exam.

23 So a lot of States have expressed concern over
24 the testing burden and opt-outs. This is something we've
25 been tracking, and we've tracked opt-outs starting at the

1 end of 2014. I say that because folks often ask us is this
2 a new phenomenon. It's certainly new to the extent that we
3 started seeing it recently. So since the opt-out movement
4 really picked up, States have worked to reduce that testing
5 burden.

6 And then sort of following on the bandwagon, the
7 Obama Administration in October 2015 issued a testing
8 action plan with steps to improve assessment systems,
9 including how to reduce tests. So a key recommendation
10 from that and from many other organizations is to audit the
11 tests that are given in a State and especially at the local
12 level because what States find is that there may be some
13 overlap between what local tests are trying to do and what
14 State tests are trying to do.

15 So ESSA also provides funding for States to audit
16 their assessment system or for districts to help teachers
17 understand the use of test data.

18 So I would just say that if you're thinking about
19 how to change the tests in your State and reduce the
20 burden, you might first start to think about all of the
21 things that you need tests to accomplish and whether that
22 specific test is designed for the purposes you want to use
23 it for. So think about how -- you know, a test all needs
24 to inform parents and students about that student's
25 progress. It needs to help inform instruction for

1 teachers. They inform schools and districts about the
2 progress of subgroups, grade levels, classes. Obviously,
3 they inform the States and then they also meet Federal
4 Title I accountability requirements.

5 So then lastly, this trend of college entrance
6 exams, a purpose is generally to reduce testing in high
7 school. It's important to note that this was happening
8 before ESSA, so in the era of NCLB waivers, a couple of
9 States -- Connecticut, New Hampshire -- had started down
10 this road, and ESSA codified it.

11 So what we've seen recently is that the U.S.
12 Department of Education has gone through the peer-review
13 process of assessments with a couple of States -- Wisconsin
14 and Wyoming -- that use the ACT for high school. And they
15 pointed out some issues, one of which was the alignment to
16 the State standards of that test, a number of other issues
17 like the incorporation of students with disabilities in
18 those tests. So the result of that is the Department is
19 placing a condition on the States' Title I grant award. So
20 the Department has pointed out some issues with it, and
21 what they need from the State is satisfactory evidence to
22 address all those items.

23 And then one recent development that we think is
24 pretty interesting, the Smarter Balanced Consortia is
25 planning to partner with ACT or SAT to create a sort of

1 hybrid test, so that might potentially address some of the
2 testing concerns while accomplishing multiple purposes, but
3 we currently don't have any more information on that.

4 So then, you know, as PDE mentioned, there have
5 been some changes recently, accountability regulations. We
6 believe we'll probably be signed off by the President, so
7 we are considering them completely overturned. Those
8 addressed a lot of the real more technical details of
9 accountability, so I won't go into, you know, what changes
10 really based on those. But what we've been advising States
11 generally and what we've heard from other organizations is
12 to, you know, stay the course on State plans. Focus on the
13 letter of the law because obviously the regulations are a
14 little bit in flux.

15 Again, the deadlines for submitting State plans
16 are the same, April 3rd or September 18th. However, that
17 April 3rd deadline is coming up pretty quickly, so the
18 Department is giving States a little more time to submit on
19 that one. As far as we know, about 17 States are planning
20 to submit in that earlier April window.

21 So I would just say a couple of things. Keep an
22 eye out for nonregulatory guidance that the Department
23 issues. That certainly is something that they could do if
24 they don't replace the accountability regulations. And
25 then also, as PDE noted, there is a new template for ESSA

1 State plans. It's much shorter. You certainly don't have
2 to use it. You don't even have to use a template if you
3 don't want to, but there are some strings attached to that
4 as well.

5 We've also heard a little chatter that, you know,
6 the new template puts less emphasis on stakeholder
7 engagement, and so that must mean that you don't have to do
8 it. I would just say that the law does specify, as I
9 mentioned before, stakeholder engagement and how to do
10 that.

11 So that's sort of what we're seeing with the
12 future of ESSA. Obviously, we don't have a crystal ball,
13 but again, we advise States to, you know, stay the course
14 and focus on the letter of the law.

15 So I'll pause there for questions.

16 SENATE MAJORITY CHAIRMAN EICHELBERGER: Thank
17 you.

18 Senator Aument.

19 SENATOR AUMENT: Thank you, Mr. Chairman. And I
20 see we're nearly back on time so I'll try to be very, very
21 brief.

22 I appreciate the testimony very much. I want to
23 revisit the conversation surrounding assessment. And as
24 you heard from the previous panel from the Department of
25 Education, there's a lot of interest in assessment, as I'm

1 sure there is nationwide and a lot of emotion around this.

2 And I agree with much of what has been said.

3 Certainly, Representative Phillips-Hill's line of
4 questioning with regard to fewer, better tests, we've heard
5 much conversation around this and certainly more useful
6 turnaround time as it relates to results and ensuring the
7 testing scores, those results are useful, actionable for
8 our educators and school leaders.

9 So I'd be interested in any feedback that you can
10 provide nationally as to whether that's the norm as to what
11 you heard in terms of how long it takes to get those
12 results, if you have any information that's on that. And
13 as it relates to testing, you know, also as someone said, I
14 don't completely agree with. He's not even here to hear
15 this, but I typically disagree just on principle with what
16 Representative Tallman has to say most of the time.

17 But, you know, when it comes to testing, in the
18 time that I've been here I have consistently heard a
19 concern with the amount of time that's spent on testing and
20 the loss of instructional time. And I'm curious, and I've
21 asked questions about this before. I'm curious. Do we
22 actually have any data on that, research nationwide? And
23 I'll ask this for the Foundation for Excellence in
24 Education as well in terms of the amount of time that is
25 spent in the States on testing, on test prep, and the true

1 loss of instructional time. And I think we even have to be
2 thoughtful about that when we talk about the loss of
3 instructional time.

4 If an educator is creatively instructing to
5 standards that are aligned to an assessment, does that
6 represent a loss of instructional time? Perhaps not. If
7 an educator is engaged in testing prep, test prep that's
8 aligned to college and career academic standards, does this
9 represent a loss of instructional time? Maybe, maybe not.
10 I think we have to be thoughtful about that term, the
11 amount of time that's being spent on testing, test prep,
12 and the loss of instructional time.

13 So I'm curious, and I'll sort of proactively ask
14 that also, the Foundation for Excellence in Education as
15 they're looking at these issues nationwide. Do we have any
16 good data with regard to the amount of time that's being
17 spent on testing, true loss of instructional time, time
18 spent on test prep? And of that, what is required,
19 mandated by the States? And I think you alluded to this in
20 your testimony? What's required, what's mandated by the
21 States versus what is being executed as a result of local
22 decision-making? I'd be interested if you have any
23 information on that or the next testifier has any
24 information on that as you're looking at this issue across
25 the country.

1 MS. WOODS: Great. Senator, thank you. That's
2 great questions. I'm aware of maybe one report that really
3 looked nationwide at testing time. I haven't seen anything
4 that then compares it to instructional time and sort of
5 subtracts to see what the loss is. We have seen, you know,
6 a number of States have done their own sort of audit and
7 report of testing time, so I'm happy to send you the couple
8 of reports I think that have looked nationwide and then
9 individual State audits.

10 So related to that, the other thing we've seen a
11 little bit is laws limiting the amount of times that can be
12 spent on State tests. And I'm happy to send you one of our
13 reports that touches on what we've seen there.

14 But to sort of go back to your original
15 statements, I think it is extremely common for States to be
16 struggling with this issue. And there's a lot of push and
17 pull and a lot of -- you know, when you reduce testing, you
18 might lose some things in the balance and gain some things,
19 so there's benefits and losses there. But it is extremely
20 common, and we're seeing, like I said, States use these
21 audits to at least start to pare down to what is absolutely
22 necessary under Federal and State laws.

23 SENATOR AUMENT: Thank you.

24 HOUSE MAJORITY CHAIRMAN HICKERNELL:
25 Representative McCarter.

1 REPRESENTATIVE MCCARTER: Thank you,
2 Mr. Chairman.

3 Just a brief question. You alluded to the
4 teacher evaluation potential changes coming, but have any
5 States actually begun to move to eliminate the tie to
6 testing into evaluation?

7 MS. WOODS: Representative, I can't speak to
8 that, but I am happy to get the answer to that question to
9 you.

10 REPRESENTATIVE MCCARTER: Okay. Thank you very
11 much.

12 SENATE MAJORITY CHAIRMAN EICHELBERGER: Senator
13 Dinniman.

14 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: One
15 question involving SATs. We have recently been having
16 conversations, at least with Connecticut, New Hampshire,
17 Delaware, a variety of States. And they seem to be very
18 positive about this. The SATs themselves have changed so
19 that they're aligned with common core standards, which
20 really don't vary that much from State to State, though we
21 put our names on them. And has the Federal Government
22 given waivers to some of these States? For example,
23 Connecticut is going full steam ahead.

24 And also, do we have any information -- one of
25 the motivations, you even have States that don't use it for

1 accountability but have thought that by giving these tests,
2 it enables young people who might not have a chance to go
3 to college but yet they score well on the test -- I know in
4 the school districts that I represent, every youngster is
5 given a free PSAT so scholarships will be available to them
6 in terms of the National Merit system.

7 So I was wondering if you could just sort of
8 brief me a little about -- the ACT is more controversial.
9 You mentioned that. But SAT, they seem to be changing. I
10 mean, the final area is science where they haven't totally
11 made that change yet.

12 MS. WOODS: Sure, Senator. I don't think I can
13 speak to, you know, the distinctions between ACT or SAT in
14 a way that adequately represents them but --

15 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: Yes.

16 MS. WOODS: -- you know, ESSA in the law does
17 allow for this use of this exam in high school. There's
18 also a provision that allows, if the State allows it,
19 districts to potentially use one of these exams on their
20 own differing from what the State test requirement is. I
21 didn't go over that partially because it's something that
22 we haven't seen States really figure out how to do.

23 But sort of getting back to your original
24 question, Connecticut and New Hampshire were the ones that
25 really piloting this, so they're definitely ahead of the

1 game on how this works. So that may be part of why they
2 are seeing or you may be hearing more success from them.

3 But additionally, we certainly have seen evidence
4 that requiring all students to take the ACT or SAT
5 statewide can really help some of those historically
6 underperforming students be more likely to attend college,
7 and so you'll see -- in one of the resources I provided a
8 link to in our 50-State look at State tests you can see
9 that some States require that ACT and SAT in addition to
10 their high school testing just to make sure that all
11 students are taking it.

12 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: Well, if I
13 read you right, then the law allows these tests to be used
14 and it even allows an individual district to make the
15 decision to use that test. And if we already have a large
16 number of students taking the SATs and it's done in a day,
17 as you know, and the feedback comes back within three to
18 four weeks, then that answers both the question of time to
19 some extent and it answers the question of how to get the
20 feedback immediately with the additional bonus then of if
21 we're going to pay for these tests, say in our testing
22 system there is no bonus when you take the Keystones. I
23 mean, colleges don't even look at it. But here, the
24 student would have the bonus who might not be able to
25 afford the SAT of actually having opening a whole world to

1 them or opportunity for them. Am I correct in what I'm
2 saying?

3 MS. WOODS: Senator, I believe so. Yes, the
4 research we've seen in requiring students to take a college
5 entrance exam, it can help certain groups of students who
6 might not be likely to go to college potentially be more
7 likely to go to college.

8 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: I just know
9 this is a concern of Representative Roebuck as well, and
10 he's done some great work in this area. Okay. Thank you.
11 I appreciate that.

12 SENATE MAJORITY CHAIRMAN EICHELBERGER: Senator
13 Brewster.

14 SENATOR BREWSTER: Thank you, Mr. Chairman.

15 Just a quick question. I came in late. I
16 apologize for that. When we talk about testing and we talk
17 about teacher evaluation, there always seems to be an
18 absence of discussion about student behavior, parental
19 support, and discipline. Are there any studies that
20 translate? We know that in some of the poorer communities
21 we have a large number of single parents who are trying to
22 work and raise children. It's always difficult. And to
23 draw a comparison between teachers who are teaching in an
24 environment where maybe it's an upscale community where you
25 may have tutors and the like, it seems to be -- in fact,

1 more than seems to be; it's factually impossible to compare
2 a teacher who may be teaching in an area with a high level
3 of poverty and compare that teacher's performance on test
4 evaluations, which we've already discussed are oftentimes
5 skewed.

6 So I really get concerned when we have a generic
7 discussion about evaluating teachers in vastly different
8 and diverse communities. And it is patently unfair to the
9 teacher. It's factual impossible to do for any of us that
10 have taught school. So I'm curious what are you hearing on
11 the Federal level with regard to that?

12 MS. WOODS: Senator, I don't think we're hearing
13 much on the Federal level related to that, but certainly
14 from the States it's an extremely common concern.

15 And as far as studies, I'm happy to send you what
16 research we have related to, you know, a student's home
17 environment and how that can affect their performance.

18 SENATOR BREWSTER: Well, I'll just close by
19 saying this. If you have anything, please send it to the
20 Chairman. You know, I know of many cases where you have
21 13- and 14-year-old children getting their 10-year-old
22 brother ready for school. I would hardly think that those
23 children are getting a fair chance at home, which makes it
24 even more difficult for the teachers. And I think that
25 needs to be in the conversation because all too often the

1 teachers are criticized for things that are beyond their
2 control. And if you go into something of the schools, they
3 have alternative ed and what have you, and if you look at
4 the -- and I'm not suggesting we expel a lot of students or
5 that kind of thing. What I'm trying to bring to the
6 surface here is that there may be two or three different
7 layers of evaluations for teachers given the regions they
8 may be teaching in. So anything you may have on that
9 point, I would appreciate it.

10 MS. WOODS: Senator, I don't have anything right
11 now, but I'm happy to send along some resources.

12 SENATOR BREWSTER: Okay. All right. Thank you.

13 SENATE MAJORITY CHAIRMAN EICHELBERGER: Okay.
14 Thank you, Ms. Woods. Thank you for your extra time here
15 as well today since we got behind schedule.

16 MS. WOODS: Thank you.

17 SENATE MAJORITY CHAIRMAN EICHELBERGER: Our next
18 group is Foundation for Excellence in Education, Claire
19 Voorhees.

20 MS. VOORHEES: Voorhees, yes.

21 SENATE MAJORITY CHAIRMAN EICHELBERGER: Voorhees,
22 I was close, Director for K through 12 Reform. Welcome.
23 And as you know, we're a little behind so if you can speed
24 things along on your part, that'll give us more time for
25 questions. Thank you.

1 MS. VOORHEES: Absolutely. And I understand you
2 have my PowerPoint ahead of you but it's not going to be
3 up.

4 So yes, Claire Voorhees, Director of K-12 Reform
5 at Foundation for Excellence in Education. And I spend
6 most of my time these days -- my specialty is in Federal
7 policy, lucky me. I spend most of my time these days, my
8 team and I, working with about 25 States on ESSA
9 implementation. We educate them on the themes and details
10 of the law. We provide technical support, and then my
11 teammates provide some advocacy support around this law and
12 the opportunities and risks that it creates.

13 Thank you to my colleagues who did the ESSA 101.
14 I'll skip that today but always happy to answer any
15 questions on that.

16 So running super quickly, and so what I'll do
17 today is just a couple points to emphasize on the ESSA 101.
18 Then, I'm going to shift to school accountability and
19 briefly on the requirements there and what we've been
20 recommending to States and how they implement school
21 accountability and then shift a little bit to the often
22 overlooked what should we do with these schools once we
23 identify the low-performing ones and some ideas and
24 recommendations under ESSA.

25 And I don't think I'll have time for the

1 innovation piece, but we have a lot of good stuff on that
2 if we can come back or send that along.

3 So, you know, I just wanted to start with the way
4 that we see ESSA, kind of the big theme of ESSA I often get
5 asked is we're an education reforming group. We proudly
6 wear that. Is ESSA a good thing or a bad thing? Both.
7 ESSA does a great thing. It returns a lot of authority to
8 States in a really great way, which in a State like
9 Pennsylvania with good leadership and an involved
10 Legislature can be a really good thing. It also takes away
11 some of the Federal backstops that have been, we think, an
12 important part of reform over the past couple years. So
13 with that opportunity for State-led reform comes a risk.
14 There's more flexibility for better or worse.

15 Slide 3 is ESSA, ESSA in one slide for you for
16 your refrigerators. But really the theme here is the
17 nuance. I want to reiterate this nuance that ESSA does
18 create a lot of flexibility in certain areas like around
19 interventions. There is really an open season for States,
20 whereas on the school accountability side assessments are
21 still very much in place and there are new requirements for
22 school accountability. In fact, in some ways while there
23 is more flexibility on school accountability than there was
24 under your traditional No Child Left Behind, in some ways
25 there's less than States had under waivers from that law.

1 So that's kind of a misconception that some folks have is
2 that, you know, oh, we can do everything we want whereas
3 the law itself dictates pretty closely some specific
4 requirements around school accountability.

5 Slide 4 is the timeline, again, won't cover that
6 other than to reiterate a lot going on in Washington, D.C.
7 I drove up this morning. It was a pleasure to get out of
8 that madhouse. But just to reiterate the lesson, what my
9 colleagues have said was that the ESSA accountability
10 regulations went away. The ESSA assessment regulations did
11 not. They're still in place, the ones -- and we don't
12 understand -- our understanding is that there's no plans
13 for Congress to overturn those. But the law is very much
14 in place, and there are specific requirements in there that
15 still must be, you know, followed.

16 And in our, you know, preliminary conversations
17 with new folks at the U.S. Department of Education is that
18 while they're new and a lot of them are new to Washington,
19 there's very much an intent to enforce the law as written.
20 So, you know, it is very much not open season for States.
21 The statute is the statute, and all the signs that they
22 have done in their initial -- the new template that they
23 put out. Also we expect in the next couple weeks them to
24 put out the select peer reviews. Some of you may know once
25 the State plans are submitted, either next month or in

1 September, there's a panel of experts that will review
2 those plans and make a recommendation to the Secretary.

3 In the next couple weeks the Department will be
4 naming those peer reviewers and putting out the guidelines
5 that they'll use to review plans. So that'll be another
6 important signal that they plan to enforce the law, and
7 States have the flexibility that the law allowed and
8 nothing more and nothing less. That's what we anticipate,
9 again, no crystal ball, but that's what we anticipate based
10 on our conversations.

11 So to reiterate, it really is keep calm and carry
12 on for States. Keep doing what you're doing. Submit a
13 plan that fits the needs of your students but that very
14 much complies with the statute.

15 Shifting into the second section, just the
16 requirements and opportunities under ESSA. Even in limited
17 time, a quick step back on a nod to slide 6 is to really
18 think about two things as the State Department of Ed and as
19 legislatures is to step back for a second and think what --
20 before rushing into what the indicators are and then
21 details and how you're going to measure proficiency, you
22 step back and think what's the purpose of an accountability
23 system? What are the purposes and limitations of it? An
24 accountability system, we believe in them very strongly,
25 but they can't solve all your problems. They have a

1 specific purpose to measure, to provide goals, to identify
2 the schools that need extra help, and what kind of help
3 they need. That's a little bit of a different answer in
4 every State, but I encourage you to keep that in mind.

5 And the second piece of this is just to put
6 school accountability -- I think too much in ESSA and in
7 every conversation around reform we get so caught up in the
8 indicators and which tests and how and just to step back a
9 little bit and just to realize that, you know, there's five
10 pieces of this puzzle all the way from standards to the
11 assessment and to the school accountability to then the
12 dashboard, which is the complement to that, and then the
13 interventions. And they really all should fit together.
14 Without each piece, it all falls apart and there's no point
15 in doing anything. So you need to have your assessments in
16 place, you need high-quality standards, and then you need
17 to have interventions and a good reporting system as well.

18 So shifting in limited time, slide 7 just lays
19 out visually for you the biggest shifts under ESSA from
20 where kind of the Feds were in charge to where the States
21 were. And as you can see, the biggest shifts are around
22 goals, school accountability, and supports and
23 interventions.

24 Now, school accountability is the one with the
25 most nuance here because while there's more flexibility

1 than -- you know, often in these when I talk about the law,
2 talk about all this flexibility and then I launch into a
3 20-minute discussion of all the requirements. So, you
4 know, on school accountability, it really is a lot of
5 nuance.

6 So looking at slide 8, I just want to -- and both
7 my colleagues have run through this, the requirements, so
8 slide 8 gets at really what are the requirements under ESSA
9 for accountability and identification of schools.

10 Mr. Stem, you know, I completely agreed with his
11 description around goals and identification and school
12 accountability.

13 I want to just highlight a couple things that are
14 in the law and want to make sure that folks know that they
15 weren't just in regulation but rather in statute as well.
16 And that is that in this school accountability piece you
17 have these four required indicators, and there's an
18 important key part of the law, which is that with these
19 four indicators, each one must be given substantial weight
20 within your system. And the first three indicators, which
21 are the ones that have to be academic in nature around the
22 academic achievement, growth, and grad rate, and English
23 proficiency must be given much greater weight than your
24 indicator of school quality or student success. And I
25 think that's an important piece of the puzzle here as folks

1 try to -- as States figure out what the appropriate balance
2 is between the more student outcomes-based pieces and those
3 not based on student outcomes.

4 Slide 9 walks through what we as an organization
5 in studying for years and our decades of experience in
6 school accountability, what we recommend how States
7 translate the requirements of ESSA into a school
8 accountability system. Laid out academic achievement
9 indicator. We encourage States to consider just a
10 simple -- and the principles that we base this on is that
11 if you go -- we want to find that right balance between
12 capturing nuance and getting something that's so
13 complicated that none of us who think about education a lot
14 of the time can understand it. And we need to think about
15 can a principal explain to a parent walking through the
16 hall what the system is and whether it's fair or not. And
17 we think that's a very important piece of the puzzle. And
18 if you get too complicated, you lose a lot of its power.

19 So what we recommend based on years of experience
20 in the field and looking at a lot of data over the years is
21 a simple calculation of academic achievement for the --
22 another academic indicator we recommend to States that they
23 include, as Pennsylvania does, growth, although we
24 recommend that States look at growth through proficiency to
25 ensure that we're measuring that students are growing at a

1 rate that they will ultimately reach the goal of
2 proficiency, and that at high school level that should be
3 graduation rate and growth if feasible.

4 English proficiency, it seems like Pennsylvania
5 -- the Department is moving in a good direction there. We
6 just caution as States put in a new indicator to figure out
7 -- do work on the front end to make sure the inclusion of
8 that indicator is not systematically disadvantaging certain
9 schools by putting it in the calculation. For example,
10 some States might want to include it as a plus or minus
11 before as they learn how to -- making sure that the
12 assessment and subgroup size are appropriate for that
13 indicator.

14 And finally, on the indicator of school quality
15 or student success, this is something that I think Excel in
16 Ed is a little unique on is that we feel very strongly that
17 States should consider using -- that this indicator does
18 not have to be nonacademic in nature. States are given a
19 tremendous amount of flexibility under ESSA. But it does
20 under the law have to be valid, reliable, and statewide.
21 And we think that that is appropriate and also places some
22 significant limits on what States should do and what best
23 practices around that indicator.

24 We recommend at third through eighth grade level
25 that that indicator look at growth of the lowest-performing

1 students in every school, for example, the bottom 25
2 percent or the bottom 30 percent. The reason we think
3 that's better practice than combining subgroups is that in
4 the way that Pennsylvania and other States have done in the
5 past, one, ESSA prohibits a subgroup, first of all, a super
6 subgroup that's used just exclusively. But the benefits of
7 a lowest-performing group as opposed to a conglomeration is
8 that every school has a bottom 25 percent, and even the
9 highest-performing -- Senator, in your districts -- and we
10 want to hold every school accountable for moving all of its
11 lowest-performing students.

12 And that also creates a very clear incentive to
13 teachers and principals and everyone in the system. Your
14 kids that need the most help, we're going to double-count
15 them for growth. It's a very simple thing of just -- it's
16 a clear incentive, and it doesn't focus on racial groups or
17 low-income status. Every kid that is in the most need will
18 get the attention that they need.

19 And at the high school level we're really
20 interested in working with the PDE on the indicators of
21 college and career readiness. That's clearly a direction
22 that every State needs to go. What we encourage States to
23 focus on though is making sure that those indicators of
24 college and career readiness are as quickly as possible
25 focused on indicators of success and outcomes as opposed to

1 just access. We find if you just -- you can imagine the
2 incentives set up for just having access or participation
3 in a rigorous course like an AP is not enough of an
4 incentive to send to schools. You need to either balance
5 it with the hope of moving eventually to success in that
6 course because that's the ultimate outcome that you want.

7 And then, you know, probably our most important
8 recommendation in all here is the summative rating, which
9 is that it can be -- it is probably one of the more
10 contentious issues under the law. I will say the statute
11 ESSA does not require explicitly that States use a
12 summative rating. On the other hand, it does require that
13 you annually meaningfully differentiate among schools. And
14 the law does require that you identify your lowest-
15 performing ones. So for me as a lawyer I would find
16 trouble knowing how you could do that without having some
17 sort of summative rating, but I will say that it's not
18 explicitly required by the law. We do, however, think it's
19 very much best practice.

20 Having some sort of summative rating we
21 recommend, our organization, A through F. Other States use
22 different systems. But it's crucial in establishing the
23 kind of transparency that is just a key role of the
24 accountability system. It's popular with parents. Our
25 data usually shows upwards of 80 percent of parents support

1 A through F grading nationally and in different States.

2 I also want to point out that we don't see it as
3 -- there's been this national debate that it has to be
4 either a summative rating or a dashboard. And you can see
5 sometimes one versus the other. We think they're
6 absolutely necessary, complementary tools. Most certainly
7 I consider myself one of the -- in our organization we're
8 certainly accountability hawks, but you certainly cannot
9 boil down the performance of a school to a single grade.
10 There's lots of other important data to describe the
11 performance of a school. But to me showing -- if you look
12 at what California is doing and other States, just showing
13 parents a dashboard of information is not enough. You need
14 to give that clear symbol. When you go to Yelp, you get a
15 grade and then, you know, five stars, and then you look at
16 the other details. That symbol needs to be complemented by
17 a wealth of other data. It just can't stand alone. And I
18 think it's a false narrative to say it has to be one or the
19 other.

20 And what's our timing like, just a couple -- you
21 all need to --

22 SENATE MAJORITY CHAIRMAN EICHELBERGER: Yes. We
23 have session at one o'clock, so if we can wind up in
24 another 10 minutes or so.

25 MS. VOORHEES: Okay. Okay. I'll run through a

1 last couple points. You know, on that point, slide 10 is a
2 little bit of homework for folks as you think about what
3 indicators should go in your system. Especially we're
4 finding that because ESSA explicitly requires an indicator
5 of school quality or student success, which, as I said,
6 could be and we recommend that it is nonacademic in nature.
7 States have a lot of freedom there and will experience a
8 lot of pressure to add a lot of indicators of various types
9 into their accountability systems.

10 We think that this is through your basic list of
11 questions there. We have a lot of battle scars from a lot
12 of -- accountability support battles fought across the
13 country, and we've learned that indicators that sound like
14 a great idea aren't necessarily at the end of the day a
15 great idea for kids and schools once they're put into a
16 school accountability calculation. An example of that is
17 student attendance. Student attendance of course is very
18 important. Of course you can't teach kids if they're not
19 there. On the other hand, we have found when you put an
20 indicator like school attendance into a school calculation,
21 first of all, it doesn't make a whole bunch of difference
22 because if you look at your data, most schools are above
23 90, 95 percent. So throwing in an indicator where everyone
24 gets pretty much the same amount of points doesn't
25 differentiate among your schools in any sort of valuable

1 way statistically or otherwise.

2 The other thing is we found when you put high
3 stakes on an indicator like that, it can sometimes have
4 reverse incentives. So while we want to help our kids get
5 to school and support our schools so the kids get there, we
6 find that sometimes putting it in an accountability system
7 can lead to overly strict policies and can kind of put
8 parents at a disadvantage when they want to take their kid,
9 you know, to a funeral or whatever valid reason if you have
10 really strict policies.

11 You know, another popular indicator right now
12 people are looking at is a school culture survey. Again,
13 none of us would disagree about how much school culture --
14 how important it is, but if you ask the Department of Ed
15 what it's going to take to put in place a valid and
16 reliable survey across all of your schools and then that
17 school's -- for those of us who are concerned with local
18 control, that's going to get that right balance of -- you
19 know, we care about the culture of your school but do we
20 want the great folks at PDE determining what exactly that
21 culture looks like and what's a good culture versus a bad
22 culture in Philadelphia versus in your district, Senator.

23 So, you know, in light of that, you know, one
24 solution we have -- we don't always have solutions in
25 education. One solution we have is on page 11 is that

1 there are all these great indicators. We're excited about
2 the future, as Julie pointed out, of learning more,
3 learning how to collect better data in a valid and reliable
4 way. Until then, we think that States should exercise
5 caution about what goes in their actual accountability
6 calculation versus what should be a 21st century report
7 card tool.

8 We've done a lot of look at that, and it's not
9 just about what data's in there, but when I talk about Yelp
10 or when I talk about, you know, Rotten Tomatoes, think
11 about you don't go to a movie without pulling up on your
12 iPhone and looking what people are saying about it and
13 looking at the reviews, and yet most States have some
14 spreadsheet buried in your Department of Ed that doesn't
15 provide parents any valuable information in a user-friendly
16 21st century way about where you drop your kids off at
17 school every day. It's pretty shocking.

18 That said, it's not easy to do. I know because
19 our organization is working on a template and a prototype.
20 Based on data from Florida, we've developed a tool which
21 Ashley, my colleague, and I'd be happy to share with you
22 that is a parent-friendly, parent-empowering way to display
23 data that's mobile friendly that we really think that,
24 although not required by ESSA, States would be mistaken to
25 not be thinking about in the next couple years how can we

1 get parent-friendly, a wealth of data with a summative
2 rating I would recommend, to parents' phones and to their
3 other mobile devices so that they really are empowered.
4 And a State that has the kind of school choice that
5 Pennsylvania has, it's really I think malpractice to not be
6 thinking about moving there.

7 It's expensive. It's not billion expensive.
8 It's expensive and it takes technical expertise to do well
9 so I won't criticize States for not having done it yet, but
10 it really needs to be where we're thinking about moving.
11 I'm happy to provide more on that.

12 And my last always gets short shrift and I don't
13 want it to get short shrift because this is the most
14 important part of the puzzle, which is moving on to slides
15 12 and 13, what are you going to do as a State about these
16 schools that you identify with your new system as failing.
17 Now, I will say those are probably pretty much the same
18 schools you've been identifying for the past several years
19 as much as we've spent talking about school accountability.
20 And the real -- looking at slide 13, this is a real
21 opportunity for States. Under No Child Left Behind, this
22 is the biggest shift in this new Federal law from Federal
23 dictation of in year one of failure you do X, in year two
24 of failure you do X and Y to open season for States.
25 That's great. It turns out that the Federal investment in

1 school turnaround did not go well. Recently it came out \$7
2 billion with not a lot of results. So this is a great
3 opportunity.

4 On the other hand, in our view it's also a big
5 risk because ESSA allows States to do not much of anything
6 if they don't choose to. So the football's been given to
7 States on school turnaround. They can completely pass that
8 -- they're in their authority to completely pass that down
9 to districts, and in certain ways they should. Districts
10 and local decisions know what's best. But I think we need
11 to be careful there because if a district's been failing to
12 serve its schools for many years, just giving them more
13 money to continue to do what's not working is not a great
14 idea either.

15 So looking at slide 14 talks a little bit about
16 the timeline in more detail, which is essentially that, as
17 PDE pointed out, that by the end of the 2017/18 school year
18 you must identify the lowest-performing schools in the
19 State, and then States and districts can work together to
20 provide, you know, three to four years of interventions,
21 and then the State is empowered to take more rigorous
22 action. That's what the law requires.

23 What we recommend as a reform organization is a
24 couple things, and I'm going to pull in some prior
25 conversations. One is to -- particularly with this piece

1 of ESSA is don't think about it just in terms of what are
2 we going to do for school interventions under ESSA. This
3 problem of low-performing schools, it's a cancer here and
4 in every State, and to really be thinking about it
5 holistically of what are all the pieces? What are the
6 Federal pieces? And it shouldn't just be you need a school
7 turnaround office, but that shouldn't be too separate from
8 the teacher pipeline office because you need better
9 teachers in these schools. And so thinking about it as a
10 statewide rigorous approach to school interventions is
11 really important.

12 Under ESSA there are two key State actions we
13 recommend States take. They're going to be tough ones
14 because they involve in some cases pushing back on local
15 control. But the first is to influence district turnaround
16 strategies. The State has two ways to do that. And this
17 is right after interventions in those initial couple years.
18 There are two ways for the State to push districts to more
19 rigorous interventions. The first is by reviewing the
20 school improvement plans and being pretty rigorous about it
21 and saying I'm not going to approve your plan unless it has
22 some real substantive changes in it. These schools, these
23 bottom 5 percent, I guarantee it's not their first year of
24 failure. We can look at the data but it's probably been a
25 pretty long time. So being pretty rigorous from day one.

1 Another important tool that's going to be a
2 challenge for Departments of Ed but we encourage them
3 strongly to do it is that there are 7 percent of your Title
4 I funds, which is approximately depending on where Congress
5 ends up on the \$40 million range in Pennsylvania. Starting
6 year after next, that \$40 million can be distributed. It's
7 school improvement funds. That can either be sent directly
8 from the State in a pass-through to the low-performing
9 districts just as a formula, or the State can decide to
10 hold it back and say if you want your piece of the \$40
11 million, you're a low-performing district, you need to do
12 X, Y, and Z. I don't know what the PDE is thinking about
13 that, but we're encouraging and we're seeing some States
14 really think about making that a competitive grant so that
15 if you want it, you better do some rigorous things. It's
16 Federal money but we can hold it back.

17 Some States are doing a hybrid. Some of it goes
18 out but they'll hold some of it back if they really want to
19 push districts towards certain more rigorous interventions
20 like a charter conversion, like getting rid of half of your
21 staff, replacing the principal. These are the things --
22 the instructional piece and the wraparound services, they
23 are so important and you can't do turnaround without them,
24 but they're just not enough. These are really struggling
25 schools that need something very radical to turn them

1 around.

2 And the second piece of it is we encourage -- and
3 again, to think globally and holistically about this -- is
4 to leverage the power of school choice. Again, that can be
5 a tough pill to swallow locally, but these are kids who
6 have been in these schools for an awfully long time. And
7 it might be a whole elementary school experience. So think
8 about what are the ways that, again, holistically we can
9 think about getting options to those kids and putting
10 pressure on those schools as soon as possible.

11 So are the inter-district and intra-district
12 choice policies as strong as they could be? Do we need to
13 be doing more as a State to attract high-performing charter
14 management organizations to a particular district? Because
15 under ESSA, you don't have to do a one-for-one turnaround.
16 Those Federal dollars can be used not only to turn around
17 one school but to help a better school, better charter open
18 down the street and make sure some of those kids get there
19 as soon as possible.

20 Funding details on the last slide, I'll leave it
21 there. We really appreciate the opportunity. And those of
22 you who stayed late, it's a fun, important topic. And
23 Pennsylvania is really in a good position to do some great
24 things here, so I appreciate it.

25 SENATE MAJORITY CHAIRMAN EICHELBERGER: Okay.

1 MS. VOORHEES: Thank you.

2 SENATE MAJORITY CHAIRMAN EICHELBERGER: It was
3 very good.

4 MS. VOORHEES: Great.

5 HOUSE MAJORITY CHAIRMAN HICKERNELL: Very
6 helpful.

7 SENATE MAJORITY CHAIRMAN EICHELBERGER: We might
8 have a question or two. Senator Brewster, do you want
9 to --

10 MS. VOORHEES: Sure.

11 SENATE MAJORITY CHAIRMAN EICHELBERGER: -- add
12 something?

13 SENATOR BREWSTER: Just to comment, a lot of
14 detail, good work, thank you, but I'm looking at the page
15 that says interventions timeline --

16 MS. VOORHEES: Yes.

17 SENATOR BREWSTER: -- and it says here States
18 implement interventions 2019-2022 replacing the principal
19 and significant percentage of staff, restart school as a
20 charter school, close and consolidate the school. And then
21 it goes to 2023, and it says States take more rigorous
22 action. I don't know what would be more rigorous than
23 that.

24 MS. VOORHEES: Yes. No, and this --

25 SENATOR BREWSTER: Just as an observation but,

1 you know, the emphasis on charter schools, they're getting
2 a lot more attention in terms of a positive solution than I
3 think they deserve. There's no evidence of that. If you
4 have a public school that's struggling and you were to take
5 1,000 children out of that public school and move it into a
6 charter school, you have the same children. Would you
7 conclude that you think the management and teachers would
8 be better? And where would you draw that -- I've seen no
9 evidence and I have 19 school districts. In fact, I've
10 seen, frankly, just the opposite of that.

11 Now, I understand in a charter school they have
12 the ability to take the students off the top. If you have
13 parents that really care about their kids, they're going to
14 come in and say, listen, I don't want my children in that
15 public school because there's a behavior problem. Okay.
16 So they take those students out, okay? And that's going to
17 make that a little better environment because the parents
18 and students collectively want to learn.

19 Over here you may have a lot of students come in
20 here where you don't have that parental oversight
21 unfortunately, and the teachers have to be babysitters.
22 They have to worry about the discipline. There's no
23 evidence that that -- I would make the case that while
24 charter schools are an option in partnership, I want to
25 emphasize in partnership, the public school and the charter

1 schools should be working together.

2 To think that there's an independent fix there, I
3 don't know what States you're finding that in but it's not
4 happening in western Pennsylvania.

5 MS. VOORHEES: I mean, I think if that's the -- I
6 mean, I think a couple answers to that. One is we can
7 point you to some great evidence of the roles in charters
8 doing a variety of things. One is that we've found there's
9 plenty of evidence that it is -- a school can turn around
10 more quickly under new management, and in fact there are
11 charter operators -- and I would encourage Pennsylvania to
12 look at ways to attract these charter operators that
13 specialize in school turnaround like this, coming in, same
14 building. And there are other examples like you look at in
15 New Orleans. I don't think you could doubt that the
16 closure and opening of charters has been basically across
17 the board when there's appropriate accountability for
18 charters --

19 SENATOR BREWSTER: Well --

20 MS. VOORHEES: -- for the students who have left
21 those schools and gone to a charter, the outcomes have
22 improved dramatically.

23 SENATOR BREWSTER: I guess my point is -- and I
24 know it's not -- you're just giving the data, but when a
25 charter school can cherry-pick students, that's a very

1 different situation than taking all the students. That's
2 one point.

3 MS. VOORHEES: Well, I mean, charters have to --

4 SENATOR BREWSTER: And the other point I want to
5 make is when you say -- and I'm not trying to criticize
6 you; I'm just trying to make an observation. When you say
7 restart school as a charter school, then whenever there's a
8 charter school in place that's failing, it should say
9 restart charter school as a public school. I don't see
10 that in here as an option.

11 MS. VOORHEES: I mean, I think the point there is
12 just the new management or a charter management
13 organization that specializes in turnaround. Yes,
14 certainly we'll be the first to say if there's a low-
15 performing charter, it should also be closed down.

16 SENATOR BREWSTER: Well, I would just close by
17 saying I would hate to see any more emphasis placed on the
18 charter schools than they deserve at this point in time. I
19 think the jury's still out in many places. I think there's
20 a lot of work to be done, and so I would say to you and
21 your organization you may want to take a little more time.
22 And I'd be happy to bring you to my area. Thank you.

23 MS. VOORHEES: Thank you.

24 SENATOR BREWSTER: Thank you, Mr. Chairman.

25 SENATE MAJORITY CHAIRMAN EICHELBERGER: I would

1 just say for the record, too, that we do have charters that
2 take over existing school footprints, catchment areas, so
3 we have both that are selective and we have some that take
4 over the catchment areas. So we can do that in
5 Pennsylvania, and they're doing that in Philadelphia in
6 some cases.

7 MS. VOORHEES: Yes, it's a policy question of --

8 SENATE MAJORITY CHAIRMAN EICHELBERGER: Yes.

9 Yes. So the problem seems to be we just don't have
10 accountability in the system today, and we have that all
11 across the State where we have very poor teachers, very
12 poor administrators, and guess what, next year they're
13 here, they get their pay raises, they'll be here, they'll
14 retire in so many years, they'll get their pensions.
15 There's no discipline, there's no accountability for most
16 of these folks. Unless they really, really, really do
17 something bad, they just go on, and that's the problem we
18 face. And then we have a system that protects those folks,
19 and that's why we can't turn around a lot of the poor-
20 performing schools so we have to do I think what you called
21 more radical changes and look at some of those things to
22 get some of these kids out of very bad situations. So I
23 appreciate that.

24 Well, thank you for your time today, and I'm sure
25 some of us will be in touch for some follow-up as we work

1 through this issue. We'd appreciate your guidance in the
2 future.

3 MS. VOORHEES: This is what we do, lucky us.

4 SENATE MAJORITY CHAIRMAN EICHELBERGER: So we'll
5 adjourn the hearing. I want to thank everyone that was
6 here.

7 SENATE DEMOCRATIC CHAIRMAN DINNIMAN: You don't
8 have a gavel.

9 SENATE MAJORITY CHAIRMAN EICHELBERGER: And I
10 don't have a gavel so we'll just say goodbye and get to
11 session. Thank you all.

12

13

(The hearing concluded at 12:54 p.m.)

1 I hereby certify that the foregoing proceedings
2 are a true and accurate transcription produced from audio
3 on the said proceedings and that this is a correct
4 transcript of the same.

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