



# Legislative Report

## Chapter 4 revisions now final and effective

The State Board of Education's revisions to its Chapter 4 regulations for academic standards and assessment are final and effective as of Saturday, March 1, when they are published in the *Pennsylvania Bulletin*.

*Among the key provisions under the newly revised Chapter 4 regulations:*

**Pennsylvania Core Standards** – References to the Common Core Standards and Pennsylvania Common Core Standards are deleted and now referred to as the Pennsylvania Core Standards. These standards for English language arts and mathematics are based upon components of the national Common Core standards. In addition, the chapter includes Common Core Standards in Reading and Writing in Science and Technology (as an appendix to the state standards for science and technology), and Reading and Writing in History and Social Studies (as an appendix to the state standards for history). The state standards are applicable only to public schools and do not apply to private, religious or homeschooled students. The regulations apply to school districts, charter and cyber charter schools, area vocational technical schools (AVTS) and intermediate units.

**Clarifications** – The regulations clarify that the state will not require school entities to utilize a statewide curriculum or statewide reading lists. The rules also clarify that Pennsylvania will not participate as a governing state in any consortium for the development of a national assessment, except if one is deemed necessary for special education students and then only in consultation with parents, teachers and other interested parties. In addition, Chapter 4 states that PDE will not expand the collection of student data and will not collect personal family data due to implementation of the standards.

**Elimination of state-prescribed strategic plan** – The requirement for districts to complete state-prescribed strategic planning every six years is removed. However, when a district's current strategic plan is expired it will have to complete plans as currently required under other regulations in these areas: teacher induction (Ch. 49), student services (Ch. 12), gifted education (Ch. 16), professional development (Ch. 49), and special education (Ch. 14) and pre-kindergarten if the school offers it (Ch. 4). A 28-day public comment period is required prior to school board adoption for the remaining six required plans.

**What to do with the six plans** – According to the language under Chapter 4, plans for teacher induction, professional development and special education must continue to be submitted to PDE for approval. Plans for pre-kindergarten must be submitted to PDE, but they do not have to be approved by PDE. Plans for student services and gifted education do not have to be submitted to PDE.

**PSBA note about planning requirements/Comprehensive Planning Web Application:** According to clarification from PDE, if school entities complete the Comprehensive Planning process and associated web application, they will meet all revised Chapter 4 planning requirements. **If a plan is required to be submitted, then the school entity must use the web application (not an option). If a plan does not**

**have to be submitted to PDE, the entity can do what it chooses in creating its own plan.** In addition, the web application is also the required tool for schools (school level, not district level) to submit a School Level Plan. This used to be called the School Improvement Plan under NCLB. With the new requirements under the state's NCLB waiver, Title I schools who are designated as Priority or Focus schools OR Title I schools who implement a Title I Schoolwide Program, are required to submit a School Level Plan to PDE using the web application.

**Keystone Exams** –Keystone Exams will be developed in five content areas for graduation purposes: Literature, Algebra I, Biology, Composition, and Civics and Government. Keystone Exams in Literature, Algebra I, and Biology will serve a dual purpose as both graduation requirements and for state accountability as required under federal law. The Keystone Exam scores do not count as one-third of the student's final course grade. Therefore, the use of the Keystone Exams will be as a stand-alone requirement for graduation.

**High school graduation requirements** – Effective with the graduating **Class of 2017**, graduation requirements include the following: 1) Course completion and grades; 2) Demonstration of proficiency as determined by the school district, charter or cyber school or AVTS if applicable in each of the state academic standards not assessed by a state assessment; and 3) Require proficiency in Algebra I, Biology and Literature Keystone Exams or project-based assessment if applicable.

Beginning with the **Class of 2019**, students will also have to pass a Composition Keystone Exam. Beginning with the **Class of 2020**, students will also have to pass a Keystone Exam in Civics and Government. The composition and civics and government exams are subject to available state funding for development and implementation of each assessment.

Districts will retain the option for independently-validated local assessments or completion of an Advanced Placement or International Baccalaureate Exam to replace the Keystone Exams.

**Elimination of graduation project** -- The proposal also eliminates the requirement for students to complete a culminating project in order to graduate, beginning with the Class of 2017.

**Special education students** -- Special education students are required to satisfactorily complete the program developed by an Individualized Education Program (IEP) team in order to graduate from the school district, charter school or AVTS, if applicable.

**School board approval/public notification of graduation requirements** – Within six months of the final and effective date of these new Chapter 4 revisions (the date the regulation is published in the *Pennsylvania Bulletin*), school boards are required to adopt new high school graduation requirements if they are not aligned with the regulations. The school must provide a copy of the requirements to students, parents and guardians, and make copies available in each school building or post them on the school's website.

**Other Keystone Exams for voluntary use** -- Five additional Keystone Exams will be developed by PDE for *voluntary* use by districts, subject to funding by the state. The tests and schedule is as follows: Geometry in 2016-17; U.S. History in 2017-18; Algebra II; in 2018-19; Chemistry in 2019-20; and World History in 2020-21. There will be no related project-based assessments or validation of local assessments for these exams.

**Alternate pathways for CTC students** – There are two alternate pathways for graduation for students

enrolled in a career and technical education program. First, these students may demonstrate proficiency on the Keystone Exams or a Pennsylvania Skills Assessment (NOCTI exam) to meet the requirement for testing in Composition, and Civics and Government. Second, CTC students who did not demonstrate proficiency on the Biology Keystone Exam may participate in a project-based assessment without having to take the Keystone twice. These pathways relate only to graduation requirements; students would still be required to take Keystone Exams for state accountability purposes.

**Parental opt-out** – The regulation gives parents/guardians the right to review any state assessment to determine whether the assessment conflicts with their religious beliefs. In asserting a religious objection to the assessment, a parent/guardian must explain the objection in their written request for excusal.

**Project required for opt-out students** – Students who are not taking Keystone Exams under the parental opt-out provision must take the project-based assessment for each subject area required for graduation.

**Student transcripts** – PSSA scores will continue to be included on student transcripts, and beginning in 2016-17, the performance level demonstrated, *not* the score, for each Keystone Exam will be on the transcript.

**Supplemental instruction** -- Students who did not score proficient on a Keystone Exam must participate in supplemental instruction prior to re-taking the Keystone/module. The supplemental instructional support must be consistent with the student's educational program. The school must continue providing supplemental instruction either until the student demonstrates proficiency in the subject area or until the student begins participating in a project-based assessment.

**Re-taking Keystone Exams** -- A student may re-take an exam or exam module in which he or she did not score proficient or above, so long as the student received supplemental instruction. There is no limit on the number of times a student who did not score proficient on a Keystone Exam can retake the test.

**Project-based assessment** – Students not able to demonstrate proficiency on an exam or whose parents opted them out of taking a Keystone Exam will participate in a project-based assessment. The project-based assessment will be administered by schools and scored by statewide panels. Successful completion of the project will satisfy the requirements for graduation. Students below grade 12 are eligible to take the project if they have taken the course related to the Keystone Exam, met the district's attendance requirements and have at least two unsuccessful attempts at demonstrating proficiency. Seniors must also meet those requirements, except that they are eligible for the project after just one unsuccessful attempt to score proficient.

**Waivers for 12th grade students** – The chief school administrator may waive the graduation requirements on a case-by-case basis for good cause in two instances. First, a waiver may be granted for a senior who was not successful in completing a project-based assessment. Second, the secretary may grant a waiver to accommodate a student who experiences certain extenuating circumstances. Such circumstances include serious illness, death in the immediate family, family emergency, frequent transfers in schools or transfer from an out-of-state school in grade 12.

**Waiver process/action plan** – A chief school administrator that is considering granting waivers for more than 10% of students in the graduating class who were not successful in completing a project-based assessment must submit an action plan for approval to the secretary no later than 10 calendar days prior to

graduation. (The 10% does not include the number of waivers to be granted for extenuating circumstances.) The plan must identify improvements that schools will implement to each course associated with the Keystone Exam content for which the waivers were requested. The chief school administrator must annually report to the Department of Education the number of waivers granted. The department will compile the information and provide a report to the State Board of Education on number of waivers issued.

The waiver process does not confer any individual rights to a student and the decision made by a chief school administrator concerning a waiver request is not an adjudication or subject to an appeals process. Disapproval of the action plan by the secretary of education does not confer an individual right on any student regarding a waiver decision made by a chief school administration.

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