MINUTES
STATE BOARD OF EDUCATION

333 Market Street | 1st Floor
Harrisburg, PA 17126

July 10, 2013

The 315th meeting of the State Board of Education was convened on Wednesday, July 10, 2013. Public notice of the meeting was made in accordance with the Sunshine Meeting Act of 1986. The meeting was called to order at 1:25 p.m. by Larry Wittig, Chairman.

Attending:

James Agras
James Barker *(via phone)*
Kevin Bates *(via phone)*
Wendy Beetlestone
Emily Clark
Andrew Dinniman
Sandra Dungee Glenn
James Grandon
Bruce Grover
Kirk Hallett
Maureen Lally-Green *(via phone)*
Francis Michelini
Jonathan Peri *(via phone)*
Mollie Phillips *(via phone)*
Justin Reynolds
Colleen Sheehan *(via phone)*
Ed Sheehan
Karen Farmer White *(via phone)*
Lee Williams
Larry Wittig

OPENING COMMENTS

Chairman Larry Wittig introduced and welcomed Dr. William Harner as the new Acting Secretary of Education. Chairman Wittig also welcomed the Board's two new junior student members, Justin Reynolds, a student at Pennridge High School, and Bruce Grover, a student at California University of Pennsylvania.

APPROVAL OF MINUTES

The minutes from the May 9, 2013 meeting of the State Board of Education were approved unanimously on a **Michelini/E. Sheehan** motion.

REPORT OF THE ACTING SECRETARY OF EDUCATION

Dr. Harner expressed his enthusiasm for the important work ahead of him in raising the bar for education in the Commonwealth and said he has spent his first weeks on the job meeting with members of the General Assembly and educational leaders to discuss the future of education in Pennsylvania. Dr. Harner thanked the students and Board members for their service and dedication to improving outcomes for Pennsylvania's students. The Acting Secretary requested that discussion related to Chapter 4 be moved up on the agenda so that he could be privy to the conversation before needing to depart for another meeting.

INFORMATION/DISCUSSION

Dr. Lee Williams, Chair of the Committee on Academic Standards/Chapter 4, reported that House Resolution 338 was adopted by the House of Representatives on June 13, 2013 and urges the State Board of Education and the Secretary of Education to consider concerns related to Common Core Standards. Dr. Williams noted that it is important to understand that the Board is not considering national Common Core Standards as part of its current agenda. The Common Core Standards in English Language Arts and Mathematics were evaluated and approved three years ago. Dr. Williams explained that the revisions the Board is currently considering to Chapter 4 in fact respond to many of the concerns about Common Core that already have been heard by shifting to a state-specific set of standards in English and mathematics. She said the Board recognizes that there are other ancillary issues raised in HR 338 and that, in light of those concerns, the Board has withdrawn the current Chapter 4 rulemaking from consideration by the Governor's Offices of Policy, Budget and General Counsel to give the Board time to consider and review the matter.

Dr. Williams directed Board members' attention to a copy of HR 338 in their meeting binders and highlighted the following issues for discussion:

Local Control: HR 338 urges the Board to ensure that public schools maintain absolute flexibility in their curriculum, and urges that the state not impose a statewide curriculum or mandated reading lists. Dr. Williams noted that current Board policy already recognizes Pennsylvania's strong tradition of local contract and cited section 4.4(b) of Chapter 4 which explicitly states, "It is the policy of the Board that local school entities have the greatest possible flexibility in curriculum planning". She noted that other sections of current law in Chapter 4 further reinforce the Board's support for local decision-making relative to curriculum, including regulations addressing elementary education (section 4.21(i)), middle level education (section 4.22(e)) and high school education (section 4.23(g)) which all include language that states, "School districts shall determine the most appropriate way to operate their elementary/middle level/high school programs." Dr. Williams said while these current provisions make it clear that Board policy supports flexibility for school districts in matters related to curriculum she recognizes that the regulations do not specifically address that the Department will not impose a statewide curriculum or reading lists. She suggested this may be an area for the Board to consider further refining the regulation.

National Assessments: HR 338 expresses concern with Pennsylvania students participating in national standardized assessments. Dr. Williams clarified that Pennsylvania's academic standards do not require students to participate in national assessments. She noted that Chapter 4 defines the state assessment system as being comprised of PSSAs and Keystone Exams, and said the Board has not considered changing the state assessment system to include other exams. Dr. Williams suggested that if the sense of the Board is the Pennsylvania should maintain state-specific assessments, the Board may consider formally expressing that intention within its regulations.

Student Data: HR 338 urges the Board to ensure that student data is not collected or reported in a way that intrudes on student and family privacy. Dr. Williams said the security and

appropriate use of student data has been a long-standing matter of concern for the Board. She cited section 4.51(c) of Chapter 4 which already includes prohibitions on the collection and use of individual student assessment data.

Senator Dinniman asked for clarification on the status of the current Chapter 4 rulemaking. Karen Molchanow, Executive Director of the State Board, said the regulation was withdraw from review by the Governor's Budget Office, Policy Office and Office of General Counsel and clarified that the final-form rulemaking had not yet been submitted to the Independent Regulatory Review Commission. Senator Dinniman said that the Democratic Caucus in the Senate opposes these regulations until such time that there is adequate funding to enable students to succeed and until there is further study on the use of standardized tests relative to graduation. Senator Dinniman also requested a fiscal note be attached to the regulation, and stated that the General Assembly years ago entered into a gentleman's agreement regarding the use of Keystone Exams as part of a student's course grade. The Senator also expressed objection to the proposal that student transcripts denote whether a student attained proficiency through a project-based assessment and stated that districts that already have a proven track record of success should be left alone and not subject to the requirements of the regulation.

PUBLIC COMMENT

Chairman Wittig called for public comment on the proposed final-form revisions to Chapter 4. The following individuals offered remarks to the Board.

- Bob Wickes, resident of Chester County, stated that Common Core Standards do not have and a track record. Mr. Wickes further stated that curriculum changes are ordinarily made in small increments to provide time to review and respond to such changes. Mr. Wickes stated that he does not believe the standards are rigorous and internationally benchmarked, said the math standards would graduate students below admissions requirements of most four-year state colleges, and expressed concern that the standards would push Algebra instruction to grade 9 while most high-achieving districts offer such instruction in grade 8.

- Bruce Dobsch, School Board Director, Avon Grove School District, commented that he joined the school board to find out why taxes were rising and learned that there are many rules to comply with and no money to back them. Mr. Dobsch said Common Core is already filtering its way in so that teachers have to ask for waivers in order to do the testing they've been doing forever. He said his district is currently performing at #34 or #37 in the state and does not need Common Core in order to work its way to #1. Mr. Dobsch said he supports Senator Dinniman's comments and suggested that we establish our own set of standards for Pennsylvania. He stated that he did not know what the agenda is for Common Core, but he did not feel it was to educate Pennsylvania students.

  Chairman Wittig asked Mr. Dobsch to clarify his remark that indicated the Board should not adopt Common Core, but should adopt our own state standards. Mr. Dobsch replied that there should be local control, guided by a state standard that is proven. He

commented that he is not aware of any districts that have currently improved because of Common Core. Mr. Wittig explained that right now Common Core is the law of the land in Pennsylvania and that the Board's current regulatory revisions address Mr. Dobsch's concerns by establishing our own standards. Mr. Wittig commented that the worst thing the Commonwealth did was refer to its own standards as the Pennsylvania Common Core.

- Michelle Jansen, resident of Franklin County, stated that her understanding was that the state cannot modify or tailor the Common Core Standards and may only add 15% to each academic area of the Common Core. She requested clarification as to whether that was accurate. Executive Deputy Secretary Dumaresq said that was not the case and offered to provide Ms. Jansen with more detailed information following the meeting. Ms. Jansen expressed concern about data gathering, data use, changes to FERPA, and the potential for student data to be identified at the individual level. Finally, Ms. Jansen stated that she did not feel the process through which Common Core was approved was conducted with enough transparency and noted that she and other parents plan to become more civically involved in attending meetings related to these issues.

- Pat Heefner, Waynesboro resident and high school library support staff, stated that East Jr. High in Waynesboro was named a Blue Ribbon School in 1984-85 based on multiple criteria. Mrs. Heefner said she recently learned that Blue Ribbon designations are now based on assessment scores. She expressed concern with the amount of time spent on testing and stated that it is not just the tests themselves, but the pre-tests and the after-tests as well. Mrs. Heefner referred to a newspaper quote from Chairman Wittig related to the substance of the standards and stated that there is a community of people who will keep the board scratching like the bite of a flea over the standards. She further stated that primary level educators were not involved in writing the Common Core Standards and that the drafting committees were comprised of university professors and businessmen. Chairman Wittig asked Dr. Dumaresq to comment on Mrs. Heefner's remark that no educators were involved in writing the standards. Ms. Dumaresq offered to provide the names of educators involved in writing the state's standards currently under consideration by the Board. Mrs. Heefner said her comments were related to the national Common Core, not the Pennsylvania specific standards, and that the standards eventually would align. Mr. Wittig noted that the Board had conducted a standards alignment study that further involved Pennsylvania educators.

- Carol Allen, retired reading specialist and employee at Air Products, expressed concern that Pennsylvania will lose its constitutional right over education if it goes along with this federal program. She expressed further concerns about loss of control by individual school districts and parents. Finally, Ms. Allen stated that no one can relay how much this will cost.

- Lois Kaneshiki, resident of Blair County, parent, and Chair of the Republican Liberty Caucus in Pennsylvania, said she opposed Common Core because it is further dumbing down education, the public and the state legislature have been lied to about what the standards are and what we have committed to with the federal government, and that she is tired of federal intrusion in our lives. Ms. Kaneshiki said statements have been made conflicting contracts entered into with the federal government. She stated that public education has been in decline ever since the federal government created the federal Department of Education and that schools are burdened by endless testing and mandates, rather than asking what is wrong with the delivery of education. Ms. Kaneshiki suggested that our current accountability system is not effective and expressed support for school choice as a means to achieve better performance and true accountability. Further, she expressed support for doing away with teacher seniority to provide further accountability.

- Joseph Krebs stated that we need to put God back in our public schools. He said he has 4 sons that went to Christian high schools and went onto higher education. Mr. Krebs said a national Common Core curriculum would grow the federal government's power. Mr. Krebs also said he read that U.S. students do not rank in the top 10 internationally. He questioned the shrinking of the local school board's power, and stated that outlawing the bible in schools is not good for our country.

- Janice Bowman, resident of Allentown, said she has been studying the budget. She said the state needs to get rid of Common Core standards and get common sense standards. Ms. Bowman said she feels schools in Allentown are failing due to a high rate of special education students, large number of students who do not speak English, large class sizes and violence, and that teachers cannot succeed under those conditions. Ms. Bowman said teachers do not speak out because they fear repercussions and suggested the state set up a program where teachers can anonymously report concerns. Ms. Bowman further stated that she sampled administration of a test in the Nazareth School District and failed because responses to the test were collected via electronic clickers and she pushed the wrong button and could not change her answer. She said that is an unfair method of testing students. Ms. Bowman then stated that the only thing Allentown schools are good at are being the most violent in the state. She suggested funds would be better used to support programs to help students learn English. Ms. Bowman said Bill and Melinda Gates have spent $335 million to advance Common Core. She then stated that she just received papers from a 2010 meeting of the Board in Easton that measured one by one inch. Ms. Bowman further expressed that Allentown has no goal to get better, and said the state's testing program directs money at better schools which will lead to fraud. Ms. Bowman said the state is taking away freedom of choice from parents by moving Common Core into private, charter and online schools. She suggested that the Board call Dr. Peg Luksik for documentation of proof and offered to show the Board the money. She then requested that the Board stop messing with her taxes.

  Chairman Wittig responded that Ms. Bowman's comments were largely focused on matters of local control, not matters over which the Board has authority, and stressed that

the Board has no taxing authority. Mr. Wittig said that her comments relative to Common Core were relevant to the Board's jurisdiction and noted that the Board is taking action to address Ms. Bowman's concern by adopting state-specific standards.

- Ron Litchman, resident of Schuylkill County, spoke generically about life in America today. He discussed his personal history in starting his own business. He also discussed the experience of his grandson who struggled as an inner-city teacher and enjoyed success that led him to be named Teacher of the Year in Denver. Mr. Litchman said he only learned about Common Core a day earlier and does not know much about it. Mr. Litchman said he was told the initiative is part of a United Nations agenda and that the UN simply costs taxpayers $17 billion a year to have people eat in expensive restaurants. He suggested that adopting Common Core will cause the state to create another costly bureaucracy.

- Todd Keefer, resident of York County, discussed the Pennsylvania Education Summit, hosted by the Pennsylvania Business Council, Pennsylvania Partnerships for Children and Team PA Foundation, that he attended in June. He stated that there were good presentations related to the problem, but that the event was like a Common Core lovefest. Mr. Keefer stated that the answer to the problem seemed to be to gather a group of elites to form a monopoly of ideas with government, bribe states into signing on, and then expect wonderful things to happen. He said the president of Elizabethtown College made an interesting remark that suggested the U.S. looks good in international comparisons if we lop off 30% of our schools. Mr. Keefer said the state should be focusing on what is wrong with that 30% of schools. He stated that he has just finished reading *A Conflict of Visions,* which addresses the notion of whether there is any elite group that can make decisions for others better and advocated for free market solutions. He questioned why Common Core is the magic elixir, and suggested the root of the problem is bad government policy that creates perverse incentives, especially in the area of social welfare. Mr. Keefer discussed the life of Benjamin Carson and the importance of a strong family.

- Chris Miller, retired history teacher from the Bethlehem Area School District, stated that we are testing children today, not educating them. Mr. Miller suggested the Board read the *Theory of Education in the United States* by Albert Nock. He said the cost of Common Core is going to be astronomical. Mr. Miller said that curriculum is being done by the state and that standards are coming from the federal government, and predicted that the federal government will step in shortly and tell the state it's not doing the job well. Mr. Miller then spoke to the need for schools to increase discipline. Finally, Mr. Miller suggested the Board read Beverly Eakman's book *The Walking Targets*.

- Becky Yost, resident of Mechanicsburg and former teacher, said the federal takeover of our county has moved us far away from the constitution. Ms. Yost said Common Core should be eliminated before more money is wasted and that the real problem is discipline.

She said Common Core will end up being nothing but a big testing program that brings money to the Gates Foundation.

- Jocelyn Burrows, mother of a kindergartener, stated that a friend told her about Common Core and she was shocked at what she learned. She stated that Common Core is a UN Agenda 21 initiative and that the Bill and Melinda Gates Foundation is bribing everyone in the educational system. She further stated that U.S. tax dollars are being provided to Gates, and said Gates is unconstitutionally incorporating business people with an interest in mining student data in its work. Ms. Burrows said Common Core is dumbing down students in Pennsylvania by not starting addition until fourth grade. Finally, Ms. Burrows commented that Gates provided money to individuals in education related to Common Core.

  Chairman Wittig asked Mr. Burrows to provide details related to her allegation that an individual had accepted money from Gates and firmly reiterated that Board members are volunteers who receive no compensation for their service. He further stated that there seems to be a misperception that the Board is currently trying to adopt Common Core and explained that that is not the case.

- Kelly Cloak, resident of Cumberland County and former school administrator, sought clarification on the Chairman's comments that the Board wants to get Common Core out. Chairman Wittig discussed the history of Common Core in Pennsylvania and the Board's current agenda to adopt state-specific standards in Math and English Language Arts. Ms. Cloak asked how Race to the Top contracts with the federal government impact the Board's ability to establish its own standards. Mr. Wittig discussed the Board's historic work to revise its standards that pre-dated Common Core and the alignment study conducted by the University of Pittsburgh that found a high degree of similarity between the different standards. Ms. Dumaresq invited Ms. Cloak to sit down with her to review the state-specific standards. Ms. Dumaresq further clarified that instruction in addition does not begin in fourth grade and that algebra does not begin in ninth grade. Ms. Cloak said she appreciates Ms. Dumaresq's invitation, and has additional concern about student data that Pennsylvania might provide to the federal government.

- Senator Dinniman expressed support for the standards, but concern with establishing testing that is not locally controlled.

PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

PSPC Executive Director Carolyn Angelo and Shane Crosby, Chief Prosecutor of Educator Discipline, updated the Board on recent happenings. Ms. Angelo thanked the Governor for approving an increased teacher certification fee that will go into a restricted fund to support educator discipline needs. She also reported that amendments to the professional educator

discipline law came close to passage at the end of June and that she is hopeful they will be reconsidered in the fall.

Ms. Angelo and Mr. Crosby presented the PSPC's 2012 Professional Educator Discipline Report. In January 2013, in response to increased complaint activity and in anticipation of further increases which materialized in 2012, the Office of Chief Counsel (OCC) reallocated additional personnel to work on Educator Discipline matters. This involved dedication of an additional full-time attorney, commitment of additional time from other attorneys, and use of a law clerk. Mr. Crosby noted that, throughout 2012, OCC staff continued to work to improve its efficiency in processing and resolving educator misconduct complaints, successfully prioritizing those cases involving allegations of sexual and/or physical abuse of student, resolving the oldest pending cases and promptly addressing new complaints as they were received.

COMMITTEE REPORTS

SPECIAL COMMITTEE ON THE PORTER TOWNSHIP INITIATIVE

Wendy Beetlestone, Chair, provided an update on the Porter Township Initiative Independent School District's application for transfer. The Special Committee held a hearing on the application in Dingmans Ferry on May 16-17 and met on July 10 to review the hearing record. Ms. Beetlestone said the Committee will now evaluate the information from the hearing and expects to bring a recommendation on the application to Board in September.

AD HOC COMMITTEE ON PRIVATE SCHOOL ACCREDIDATION

Kirk Hallett reported that the Ad Hoc Committee on Private School Accreditation met on July 8 to make a recommendation on the application of The Educational Enrichment Initiative (TEEI) for renewal of accrediting authority. The Board began discussion of whether to renew TEEI's authority to accredit tutoring, remedial and testing centers in May. At that time, the Board determined that outstanding issues warranted further exploration and granted TEEI a temporary extension of accrediting authority through July 10, 2013.

Ms. Hallett reported that, since May, TEEI has worked to provide additional information about the background checks completed for individuals employed by the centers it accredits. TEEI also has responded to the Board's request for a self-study per Chapter 52.

Based upon this information, the Department concluded that TEEI makes reasonable efforts to make sure center employees obtain required DPW and FBI background checks, and that TEEI provides adequate guidance and information on requirements for background checks. The Department would like TEEI to follow-up on select individuals and work with PDE to gain access to the electronic Cogent database, but Mr. Hallett reported that these matters of clean-up do not detract from the overall conclusion that TEEI is doing an adequate job with background checks.

Mr. Hallett said the Department identified a number of areas for improvement related to TEEI's accreditation protocols and evaluation of the academic content provided by its accredited

centers, and said the Committee recommends including actions to address these concerns as conditions of TEEI's renewal. Among these is a need for TEEI to improve oversight of student assessment, particularly for measuring the baseline knowledge of new students, and to ensure a center's curriculum is linked to the state's academic standards. The Committee also recommend that TEEI take steps to ensure tutors employed by the centers are competent in their respective areas of assignment, given that staff are not required to be certified teachers or college graduates.

The Committee further recommended that TEEI move from a single-person site visitor to a 4-member visitation team to bring diversified team experience in evaluating assessment and curriculum; instructor qualifications; financial operations; instructional technology; and, physical plant safety and security. The Committee also recommended that TEEI take steps to diversify the make-up of its Board of Directors and consult with the Board on a more frequent basis.

Subject to the conditions related to accreditation protocols, site visitation teams, independence among the key decision-making steps in the accreditation process, composition and engagement of the Board of Directors and addressing matters of clean-up related to background checks, the committee recommended that TEEI be renewed as an accrediting body for tutoring, education testing and remedial centers for a two-year provisional period, until July 2015. Mr. Hallett said provisional renewal would be contingent on TEEI's continued progress in meeting the conditions and progress would be monitored through PDE's analysis of periodic progress reports made by TEEI to PDE every eight months. If TEEI satisfies the conditions, the committee recommended that TEEI's approval be extended for three years beyond July 2015 to July 2018.

Finally, Mr. Hallett said the Board will retain the Ad Hoc Committee on Private School Accreditation to provide guidance and oversight to the Department as continued monitoring of TEEI occurs.

Jonathon Peri asked if Mr. Hallett was satisfied that TEEI's background check policy and process will sufficiently safeguard in the next three years. Kirk answered that he was more than satisfied based on the work of the Department to ensure that TEEI is compliant.

Ms. Denise Nahoom thanked Dr. Dumaresq and the Board for their attention over the past few months. She said the organization had no issues with the conditions set forth, and said TEEI will do its best to address the proposed conditions as they pertain to the Pennsylvania Academic Standards. Ms. Nahoom said the tutoring centers aligned by TEEI do not always align with the state standards because some focus on other areas, such as providing Chinese language institutes, and that the state standard would not be applicable in such cases. The Board agreed to modify the conditions suggested by the Ad Hoc Committee to address compliance with academic standards where relevant to address Ms. Nahoom's concern. Ms. Nahoom asked for clarity on the condition related to sending diversified teams as site evaluators and asked whether the number of people serving on the teams might be reduced or gauged to an industry standard. Robert Staver, PDE Division Chief, stated that the intent of the teams was to engage a peer visitation model. Finally, Ms. Nahoom asked for verification of the point of contact at PDE to whom she should submit future reports.

INFORMATION/DISCUSSION

Student Leadership Program

Dr. Michelini reported that the private grant that supports the Board's four student members would be exhausted at the end of 2013-2014 school year and engaged the Board in discussion about next steps related to the program.

Jim Grandon asked about the benefit of the students' participation and what they bring to the Board. Kevin Bates, senior student member, said that he is enrolled in a teacher education program and is very interested in the Teacher Effectiveness Committee and what its work means to his future career path. Bruce Grover, junior student member, stated that he appreciated the opportunity to join the Board for his first meeting today and looked forward to bringing the knowledge that he's learned back to his school. Emily Clark, senior high school student member, stated that she shares information about Board deliberations with students across the state via twitter, blogs and meetings of the Pennsylvania Association of Student Councils. Board members agreed that there was value in pursuing discussion with private foundations to endow a fund to continue the participation of students on the Board and tasked its Executive Director with exploring funding options.

ACTION ITEMS

APPLICATION OF THE EDUCATIONAL ENRICHMENT INITIATIVE (TEEI) FOR THE RENEWAL OF ACCREDITING AUTHORITY

A motion was made to approve TEEI as an accrediting body for tutoring, educational testing and remedial centers for a two-year provisional period until July 31, 2015, provided that TEEI agrees to the conditions set forth in the July 8, 2013 recommendation of the Ad Hoc Committee on Private School Accreditations and contingent on its continued progress in meeting each of these conditions. The parameters set forth in condition #1 were amended to reflect the alignment of Pennsylvania Academic Standards where applicable. Further, confirmation of continued progress in meeting the conditions would be made through the Department of Education's analysis of periodic progress reports made by TEEI to the Department every eight months, March 2014, November 2014 and, finally,two weeks prior to the Board's July 2015 meeting. Finally, if TEEI satisfies the conditions, TEEI's approval as an accrediting body for tutoring, educational testing and remedial centers would be extended for three years beyond July 31, 2015 to July 31, 2018. This motion was made by Kirk Hallett and seconded by James Grandon.

VOTE: All were in favor as indicated by unanimous voice vote.

2014 MEETING SCHEDULE

A motion to approve the 2014 Meeting Schedule made by Larry Wittig and seconded by Lee Williams.

VOTE: All were in favor as indicated by unanimous voice vote.

ANNOUNCEMENTS

Chairman Wittig announced that the Board will be forming a new Ad Hoc Committee on Dating Violence Education. Per an assignment in Act 104, the Committee will look into the benefits and detriments of mandating dating violence education in Pennsylvania public schools, and will develop a report with recommendations on this topic for the General Assembly. The Committee will conduct its work throughout the fall and bring a draft report to the Board for review in January. Chairman Wittig asked Dr. Colleen Sheehan to Chair the committee and said she will be joined on the Committee by colleagues Jonathan Peri and Karen Farmer White.

ADJOURNMENT

There being no further items of business, the meeting was adjourned at 4:15 p.m. on a **Grandon/E. Sheehan** motion.

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Stephanie Jones
Administrative Assistant