

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA

\* \* \* \* \*

Chapter 49-2

\* \* \* \* \*

House Education Committee

Main Capitol Building  
Room 140, Majority Caucus Room  
Harrisburg, Pennsylvania

Wednesday, March 28, 2007 - 1:00 a.m.

BEFORE:

Honorable James Roebuck  
Majority Chairperson  
Honorable Mike Carroll  
Honorable Larry Curry  
Honorable Richard Grucela  
Honorable Michael Hanna  
Honorable Thaddeus Kirkland  
Honorable Mark Longietti  
Honorable John Pallone  
Honorable Frank Shimkus  
Honorable Barbara McIlvaine Smith  
Honorable Jake Wheatley  
Honorable John Yudichak  
Honorable Jess Stairs  
Minority Chairperson  
Honorable Karen Beyer  
Honorable Mike Fleck  
Honorable Beverly Mackereth  
Honorable Daryl Metcalfe  
Honorable Milne  
Honorable Thomas Murt  
Honorable Bernie O'Neill  
Honorable Thomas Quigley  
Honorable Kathy Rapp  
Honorable Sam Rohrer  
Honorable Curtis Sonney

DJW REPORTING

djwreporting259@comcast.net

2180 Craley Road, Windsor, Pennsylvania 17366

(717) 246-8061

1 STAFF PRESENT:

2 Tracey Ann McLaughlin  
3 Majority Research Analyst

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C O N T E N T S		
WITNESSES		PAGE
1		
2		
3	State Board of Education	
4	Dr. Jim Fogarty, Member	6
5	Sharon Brumbaugh, Special Assistant to	18
6	The Secretary of Education	
7	Jim Buckheit, Executive Director	22
8	Dr. Clythera Hornung, President	88
9	Pennsylvania Association of Colleges and	
10	Teacher Educators	
11	Bob Feir, Director of Education Initiatives	96
12	Pennsylvania Partnerships for Children	
13	Grace Bekaert, Treasurer	101
14	Pennsylvania State Education Association	
15	Pennsylvania Association of School	
16	Administrators	
17	Stinson Stroup, Executive Director	116
18	Dr. John Gould, Director, Strategic	119
19	Initiatives, Northwestern Lehigh School	
20	District	
21	Dr. William Clark, Superintendent	
22	Milton Area School District	
23	Tim Allwein, Assistant Executive Director	127
24	for Government and Member relations	
25	Pennsylvania School Boards Association	
26	Jacqueline Edmondson, Ph.D., Associate	134
27	Professor of Education	
28	Penn State University Teacher Education	
29	Coordinator	
30	Pennsylvania Music Educators Association	
31	Society for Music Teacher Education	
32	Patrick M. Jones, Ph.D., Chair	140
33	Margaret Bauer, Executive Director	
34	Baruch Kintisch, Staff Attorney	147
35	Education Law Center	
36	(Written testimony submitted by: Joan L. Benso,	
37	President and CEO, PA Partnerships for Children.)	

1           CHAIRPERSON ROEBUCK: Look forward to  
2 an interesting discussion. We're here to talk  
3 about Chapter 49-2. And let me just say a couple  
4 of things by way of introduction. The regulations  
5 we have before us for discussion today are  
6 proposed. And that means that they're certainly  
7 not set in stone.

8           And part of what happens today, or  
9 hopefully what will happen today is that  
10 individuals with the various viewpoints and  
11 interests can express their view on those  
12 regulations, proposals for change, tell us they're  
13 wonderful and great or whatever. And so this is a  
14 free-flowing dialogue around those regulations.

15           We have a extensive panel to offer  
16 presentations, and they'll offer a variety of  
17 views. And I certainly know that the members of  
18 the Committee are receptive to the different  
19 viewpoints that will be offered.

20           Generally, I would think or hope that  
21 those who are doing presentations might summarize  
22 their written testimony which we have before us  
23 and which we can review more extensively as the  
24 process goes forward and leave time for questions  
25 and answers, the dialogue which I think is the

1 most important aspect of the discussion.

2           Having said that, I ask that the  
3 Members of the Committee might introduce  
4 themselves and tell us where they're from; and  
5 then we can move into our initial testimony.

6           REPRESENTATIVE SHIMKUS: My name is  
7 Frank Andrew Shimkus, Representative in the 113th  
8 District in Lackawanna County.

9           REPRESENTATIVE CURRY: Lawrence Curry,  
10 154th District.

11           REPRESENTATIVE GRUCELA: Rich Grucela,  
12 137th District, Northampton County.

13           CHAIRPERSON ROEBUCK: Chairman Jessie  
14 Stairs, 59th District, Westmoreland and Fayette.

15           REPRESENTATIVE O'NEILL: Bernie  
16 O'Neill, the 29th District from Bucks County.

17           REPRESENTATIVE MURT: Tom Murt, 152  
18 District, Montgomery and Philadelphia Counties.

19           REPRESENTATIVE McILVAINE SMITH:  
20 Barbara McIlvaine, 156th District, Chester County.  
21 March.

22           REPRESENTATIVE CARROLL: Mike Carroll,  
23 118th District, Luzerne and Monroe Counties.

24           REPRESENTATIVE SONNEY: Curt Sonney,  
25 4th District, Erie County.

1           REPRESENTATIVE RAPP: Kathy Rapp, 65th  
2 District, Warren, Forest, and McKean Counties.

3           REPRESENTATIVE QUIGLEY: Tom Quigley,  
4 146th District, Montgomery County.

5           MICHAEL HANNA: Mike Hanna, 76th  
6 District.

7           REPRESENTATIVE YUDICHAK:  
8 Representative John Yudichak, 119th District,  
9 Luzerne County.

10          REPRESENTATIVE FLECK: Mike Fleck, 81st  
11 District, Blair, Huntingdon, and Mifflin County.

12          REPRESENTATIVE ROHRER: Sam Rohrer,  
13 128th District, Berks County.

14          REPRESENTATIVE LONGIETTI: Mark  
15 Longietti, 7th District, Mercer County.

16          CHAIRPERSON ROEBUCK: Jim Roebuck,  
17 Philadelphia.

18           I will begin then by calling up our  
19 first speakers, Sharon Brumbaugh, the Special  
20 Assistant to the Secretary of Education, and Jim  
21 Fogarty, State Board of Education. They're  
22 together.

23           DR. FOGARTY: Good afternoon. Chairman  
24 Roebuck, Chairman Stairs, distinguished Members of  
25 the House Education Committee, my name is

1 Dr. James Fogarty.

2 I have the honor of serving as a member  
3 of the State Board of Ed and to chair its Chapter  
4 49 Teacher Certification Committee, a Committee  
5 that's worked hard over the past year and a half  
6 to develop the proposal that you have before.

7 The perspectives that I am about to  
8 provide come from a background as a school  
9 administrator for 31 years, I'm a college teacher,  
10 and input from hundreds of individuals and groups  
11 who provided testimony to the State Board in the  
12 form of written testimony, hearings, and  
13 roundtables.

14 Joining me at the table is Sharon  
15 Brumbaugh, Special Assistant to Secretary  
16 Zahorchak, and Jim Buckheit, Executive Director of  
17 the State Board of Education.

18 The focus of Mrs. Brumbaugh's work is  
19 to improve the knowledge, skills, and overall  
20 quality of professional educators working in our  
21 public schools.

22 On behalf of the State Board of Ed, I  
23 want to thank you for the opportunity to discuss  
24 one of the most challenging issues in public  
25 education today: How to best prepare, train,

1 certify, and provide ongoing professional support  
2 to the teachers in our public schools and to the  
3 leaders of our public schools.

4           Everyone we know tells us that -- and  
5 everything we know tells us that nothing is more  
6 important than helping students achieve at high  
7 levels than the quality of their teachers.

8           Research shows that teacher quality is  
9 more important than having rigorous standards,  
10 aligned assessments, advanced technology, and  
11 quality facilities.

12           Teachers must have a solid content  
13 knowledge of the subjects that they teach, a  
14 thorough knowledge of instructional strategies,  
15 and the skills necessary to help students learn.

16           Since 2003, the State Department of  
17 Education by necessity has focused its attentions  
18 on the development and implementation of state  
19 policies that address the requirements of the  
20 Federal No Child Left Behind Act.

21           The bridge certificates and other  
22 policies that we've spoken before to you about in  
23 the past were each designed to bring the  
24 Commonwealth into compliance with NCLB.

25           Middle school and special education



1 teachers faced many challenges to earn designation  
2 as highly qualified. These efforts, while  
3 difficult, have paid off.

4           In December of '06, U.S. Department of  
5 Ed has approved the Commonwealth's plan to comply  
6 with the highly-qualified teacher provisions of  
7 NCLB. Many other states continue to face the  
8 prospect of sanctions and significant loss of  
9 federal funds over the issues of improving teacher  
10 quality.

11           The proposal before you now is designed  
12 for newly certified teachers to obtain  
13 highly-qualified teacher status upon receipt of  
14 their initial teaching certificate. Bridge  
15 certificates and similar programs would no longer  
16 be necessary when these regulations are  
17 implemented.

18           It's also important to note that nearly  
19 500 of the nearly -- of the nearly 500,000  
20 certificate holders, 122,000 who are currently  
21 employed in our public schools, that they are  
22 grandfathered as to the scope of their current  
23 certificates.

24           They can continue to teach the subjects  
25 and grade levels provided on existing

1 certificates. These regulations affect only  
2 teachers certified after January 1, 2012.

3           The change is truly a slow phase-in for  
4 schools ,affecting only those hired after that  
5 date.

6           Now, to the part of the discussion.  
7 Chapter 49 proposes to change the regulations in  
8 five areas: Number 1, there's a restructuring of  
9 the certification requirements for teaching  
10 certificates issued after January 1, 2012.

11           The changes include the establishment  
12 of a preK through grade 3 certificate for newly  
13 certificated teachers wishing to teach those  
14 grades.

15           We know that research clearly  
16 demonstrates that young children, those through  
17 age 8, or about 3rd grade, greatly benefit both  
18 developmentally and academically by having  
19 teachers specifically trained in early childhood  
20 education.

21           With rapid growth of both full-day  
22 kindergarten and prekindergarten programs across  
23 the state and how critical it is to have all  
24 students be able to read at grade level by grade  
25 3, how critical that is to their future academic

1 success.

2           It's critical that, if we are to  
3 maximize taxpayer investment in these programs, we  
4 must have properly trained and certified teachers  
5 providing training to young students.

6           The establishment of a 4-8 teaching  
7 certificate for newly certified teachers wishing  
8 to teach in grades 4 through 8: These teachers  
9 would also need to concentrate in one middle level  
10 subject area such as science, math, social  
11 studies, language arts. And I stress middle  
12 level, not high school level subject area.

13           The elementary middle certificate is  
14 designed to focus and improve the depth of  
15 academic content knowledge of those teaching  
16 grades 4 through 8 while also providing improved  
17 knowledge about preadolescent and adolescent  
18 development.

19           We all know that preteens and teens  
20 present special challenges. Unfortunately, the  
21 history of the PSSA scores, which we're also  
22 concerned about, shows significant drop in student  
23 achievement from the elementary to the middle  
24 school levels.

25           While the 2006 scores show some

1 improvement, the historical record shows a 10 to  
2 15 percent lower achievement level in the middle  
3 grades as compared to elementary. The certificate  
4 split preK-3 and 4-8 is the most controversial  
5 proposed change to current practice, and I'm sure  
6 you've received numerous letters about it.

7           The preK-3 elementary certificate will  
8 not be a problem as most states already offer that  
9 certificate. Those commenting complained that  
10 exportability to other states will be a major  
11 issue for the new 4-8 elementary middle level  
12 certificate.

13           Although not able to teach in the lower  
14 elementary grades, a teacher with a 4-8  
15 certificate will be able to teach in more schools  
16 both in and out of state since the certification  
17 will be expanded to include grades 7 and 8.

18           This will make a candidate particularly  
19 attractive to middle and junior high schools where  
20 K-6 certificate holders could not previously apply  
21 or be limited to teaching in only grades 5 and 6.

22           The next requirement is that special  
23 education teachers hold dual certificates in  
24 special ed in one regular education area. The  
25 special ed certificate will be divided into preK

1 through grade 8 and secondary would be 7 through  
2 12th.

3           New special ed teachers would also  
4 choose one regular education specialization,  
5 either as early childhood, middle, or secondary.  
6 That that requirement is necessitated by NCLB.

7           Now, the second major area adds new  
8 requirements: That teacher education programs  
9 require at least nine credits, or 270 hours, of  
10 course work and other activities regarding the  
11 accommodations and adaptations for a student with  
12 disabilities in an inclusive setting.

13           What that means is a student with  
14 disability to be accommodated in regular  
15 classrooms as per federal law. And three credits,  
16 or 90 hours, to address the needs of English  
17 language learners.

18           The Governor's Commission on Training  
19 America's Teachers recommends improving the way we  
20 train teachers, including strengthening  
21 preparation of new teachers to work with diverse  
22 learners such as students with disabilities and  
23 English language learners.

24           In this age of inclusive classrooms  
25 where nearly every classroom has several students

1 with IEPs, be aware that it's not the way it was  
2 when I went to school, when most of us went to  
3 school.

4           The average classroom has many children  
5 in it who have individual education plans, and the  
6 teachers need to accommodate for that. And an  
7 increased number of English language learners, the  
8 common practice of teaching preparation programs  
9 by providing one course in special education is  
10 grossly inadequate.

11           Some institutions provide no background  
12 in special education. This flexibility in  
13 wording, credits, actual hours, or a combination  
14 of coursework requirements was suggested by PAC-TE  
15 and the independent colleges. PAC-TE is the  
16 Pennsylvania Association of Colleges and Teacher  
17 Educators.

18           Third area, it aggregates independent  
19 existing continuing ed requirements into a  
20 strategic system of continuous improvement. The  
21 system focuses on improving skills to work with  
22 students with disabilities and English language  
23 learners and impacts every working professional in  
24 the Commonwealth.

25           Because these regulations would require

1 existing induction programs for new teachers to  
2 include activities aimed at teaching diverse  
3 learners, would require that six of the 24 credits  
4 that a person needs to earn to move from a novice  
5 teacher Instructional 1 to Instructional 2 be  
6 aimed at priority areas such as teaching diverse  
7 learners.

8           It would require school districts,  
9 professional education plans to include activities  
10 to assist teachers in teaching diverse learners.

11           And it would require all  
12 professionals -- teachers, administrators, and  
13 others -- to receive instruction on teaching  
14 diverse learners in inclusive settings as part of  
15 their Act 48 continuing professional education  
16 requirements.

17           The proposal to strategically focus the  
18 current independent components of continuing  
19 professional ed into one cohesive system of  
20 professional education is supported in the  
21 Governor's Commission on Training America's  
22 Teachers final report.

23           It provides flexibility for individual  
24 teachers, schools, districts in the state. The  
25 regulations include provisions that would permit

1 waivers should problems arise.

2           It provides for accelerated  
3 certification programs that would permit early  
4 childhood teachers to earn an elementary/middle  
5 certificate and vice versa. Teachers could take  
6 advantage of this option while pursuing their  
7 Level 2 certificates.

8           Why propose such major changes? Well,  
9 there are several reasons. They all revolve  
10 around one central premise: We need to do a  
11 better job of preparing and supporting new  
12 teachers for the classrooms of tomorrow.

13           These changes will affect today's  
14 classrooms. That's why we also address the need  
15 to improve the focus of existing resources spent  
16 on professional education for our 122,000  
17 classroom teachers.

18           I call to your attention an interesting  
19 survey conducted by the Commission on Training  
20 America's Teachers. It's surveyed education  
21 deans, superintendent's, veteran teachers and new  
22 teachers as to the quality of the preparedness of  
23 new teachers. The results are startling.

24           When we asked the education deans how  
25 well they prepare new teachers, 90 percent of them



1 said they do an excellent job; 20 percent of the  
2 superintendents agreed with that statement; 20  
3 percent of the veteran teachers agreed with that  
4 statement; and only 3 in 10 of the new teachers  
5 themselves felt that they had an excellent  
6 preparation coming out of their teacher schools.

7           Clearly, there's a disconnect. I've  
8 read every word of several hundred letters that  
9 have been written to us on these topics. They  
10 range from full support to no support. Some say  
11 we've not gone far enough. Others say we've gone  
12 too far. This proposal clearly lies in the  
13 middle.

14           Just to quickly address two items  
15 before I close: School administrators, I ask you,  
16 you're concerned about the split certificate, the  
17 K-3, 4-8. Is that a real problem, or is that just  
18 an administrative inconvenience? Can you develop  
19 a plan for it?

20           In light of the dramatic drop in test  
21 scores after grade 3, shouldn't you be demanding  
22 that institutions of higher education do something  
23 different and provide you with a higher quality,  
24 more focused teacher?

25           How many times have you heard teachers

1 say that they're not trained to teach those,  
2 quote, special ed kids and should not have them in  
3 their classrooms?

4           Teacher educators, doesn't the  
5 disconnect in the preparedness survey by the  
6 Commission tell you that something major needs to  
7 change? Are you still preparing teachers for  
8 classrooms that no longer exist?

9           In summary, basic education can't turn  
10 this achievement slump around purely on its own.  
11 Higher ed must play a part in providing more  
12 highly-qualified and focused teachers. 49-2 moves  
13 us strongly in that direction.

14           I'd like to turn your attention now to  
15 Ms. Sharon Brumbaugh.

16           MS. BRUMBAUGH: Thank you, Dr. Fogarty.  
17 Chairman Roebuck, Chairman Stairs, Members of the  
18 Committee -- can you hear me now?

19           In the interest of time and so we can  
20 get to your questions quickly, I'm just going to  
21 highlight a few key points in my written  
22 testimony.

23           First of all, Secretary Zahorchak and  
24 the Department of Education are enthusiastic  
25 supporters of the changes that are proposed in

1 these regulations, because they will lead to  
2 better trained teachers who will be more confident  
3 and competent in teaching all learners.

4           The changes that Dr. Fogarty reviewed  
5 with you are all part of the Department of  
6 Education's strategy for boosting student  
7 achievement through enhanced teacher quality.

8           These recommended changes were  
9 developed with careful research and consideration  
10 to the needs of children and teachers, and they're  
11 based on two principles.

12           Number 1, we want to ensure  
13 opportunities for teachers to gain in-depth  
14 knowledge of child development and content  
15 appropriate for the age group they are teaching.  
16 Knowledge of child development is crucial for  
17 teachers' success. Deeper knowledge of both  
18 development and content are needed.

19           We want -- and No. 2, we want to ensure  
20 opportunities for all teachers to be able to  
21 effectively teach all learners, including students  
22 with disability and English language learners.

23           This is important because of the  
24 changing student population, the expectation that  
25 all students will become proficient in the

1 standards that we've set for them, and the  
2 increased focus on educating all students in the  
3 least restrictive environment.

4           This change process really began about  
5 two years ago when the Department created work  
6 groups to look at our teacher preparation  
7 guidelines in early childhood education,  
8 elementary ed, and special ed.

9           After collaborating with more than 600  
10 stakeholders through meetings and forums  
11 throughout the state, the Department presented a  
12 set of proposed regulations to the State Board in  
13 September of 2005.

14           And we want to commend the process that  
15 Dr. Fogarty and Members of the Chapter 49  
16 Committee used in gathering public input.  
17 Basically, everyone that you'll be hearing from  
18 today had ample opportunity through numerous  
19 hearings and roundtables to provide input into the  
20 regulations.

21           They're not exactly what the Department  
22 presented to them. A lot of changes have been  
23 made throughout this process. But they adhere to  
24 the principles that -- upon which they were  
25 originally developed and we believe that they will

1 go a long way toward improving the quality of  
2 teaching and learning in the State of  
3 Pennsylvania.

4           I would like to end my formal comments  
5 by quoting one of the individuals who commented on  
6 the regulations to the IIRC. She said, These  
7 proposed changes put the needs of Pennsylvania's  
8 children ahead of institutional convenience of  
9 universities and school districts.

10           We understand that there are challenges  
11 inherent for the institutions in these  
12 regulations, but they're challenges we should  
13 embrace because we believe that they will benefit  
14 the quality of education for our children.

15           Thank you.

16           CHAIRPERSON ROEBUCK: I'd like to thank  
17 both of you for your testimony and ask if there  
18 are questions from any of the Members of the  
19 Committee?

20           Representative Grucela.

21           REPRESENTATIVE GRUCELA: Thank you,  
22 Mr. Chairman. I only have two questions. One, in  
23 reference to the survey, Dr. Fogarty, I mean, I  
24 interpreted the survey a little differently than  
25 you did.

1           While only 30 percent say excellent,  
2 only 7 percent say poor. I mean, you sort of left  
3 out the good and the adequate responses when you  
4 talk about, you know, your interpretation. But  
5 more specifically, do you know how many people  
6 were surveyed? The number of people surveyed?

7           DR. FOGARTY: I don't think I do, but I  
8 can get that for you.

9           REPRESENTATIVE GRUCELA: Would you,  
10 please?

11          DR. FOGARTY: Sure.

12          REPRESENTATIVE GRUCELA: Could I also  
13 have the specific question that was asked --

14          DR. FOGARTY: Certainly.

15          REPRESENTATIVE GRUCELA: How it was  
16 asked?

17          DR. FOGARTY: Certainly.

18          REPRESENTATIVE GRUCELA: Only one last  
19 question I have: The No Child Left Behind Act is  
20 up for reauthorization. Has the State Board made  
21 any recommendations to Congress as to what you see  
22 as the weakness in the Act, or do you believe the  
23 Act is working excellently? And in those states  
24 that have not liked the Act, that they're off  
25 base?

1 DR. FOGARTY: Let me ask Jim to  
2 specifically address that.

3 MR. BUCKHEIT: The Pennsylvania Board  
4 has not provided comments to the Congress or to  
5 the Department of Education --

6 REPRESENTATIVE GRUCELA: Why?

7 MR. BUCKHEIT: -- perspective on it.  
8 But the National Association of the State Boards  
9 of Education did provide comments to both Congress  
10 and the representatives from the -- our State  
11 Board on that group supported those comments.

12 REPRESENTATIVE GRUCELA: But why didn't  
13 we?

14 MR. BUCKHEIT: That's a decision for  
15 the Board collectively to make, and it's not  
16 something that was on their agenda at this point.

17 REPRESENTATIVE GRUCELA: But aren't  
18 members -- there's a national board?

19 MR. BUCKHEIT: There's a National  
20 Association of State Boards of Education that  
21 represents all of the State Boards of Education --

22 REPRESENTATIVE GRUCELA: And we have  
23 members on that board?

24 MR. BUCKHEIT: Yes, we do.

25 REPRESENTATIVE GRUCELA: And that

1 National Board made a recommendation against it?

2 MR. BUCKHEIT: Yes, it did.

3 REPRESENTATIVE GRUCELA: Did that  
4 National Board give those recommendations to our  
5 State Board?

6 MR. BUCKHEIT: Not directly. They  
7 provided copies of what they recommended to the  
8 State Board.

9 REPRESENTATIVE GRUCELA: Can we -- can  
10 I have a copy?

11 MR. BUCKHEIT: Yes, I would be happy to  
12 send that to you.

13 MS. BRUMBAUGH: The Department of  
14 Education has also prepared a white (phonetic)  
15 paper with recommendations to Congress and the  
16 reauthorization which we'll be happy to provide to  
17 you.

18 DR. FOGARTY: And to answer your  
19 question about the rating scale, you know, my  
20 concern is that we set a standard that says  
21 excellent. So that was the area that I focused on  
22 that.

23 CHAIRPERSON ROEBUCK: Representative  
24 Stairs.

25 REPRESENTATIVE STAIRS: Yeah, thank



1 you, Mr. Chairman. Couple questions. At the very  
2 beginning it talks about the extra courses that  
3 students will have to take with regard to  
4 disability, disability as well as the English  
5 language learners.

6           Any comment on -- right now most of  
7 your teacher preparation classes have a pretty  
8 full load. You know, how many credits I guess  
9 varies upon the institution. And if they take  
10 their load that's required, they can graduate in  
11 four years.

12           Now with these extra courses that are  
13 gonna be required, is this going to be -- how's  
14 this going to fit into their curriculum now? Is  
15 this going to require more than 4 and a half years  
16 or are they gonna cut something else out?

17           I know we get under a lot of pressure  
18 to graduate students in four years and, ideally,  
19 that's not gonna be the case. Or maybe you can  
20 explain it to me if that'll be the case or not.

21           DR. FOGARTY: I think that's a very  
22 fair question. When these regulations were first  
23 proposed, they were proposed as three credits plus  
24 nine credits, which is an additional twelve  
25 credits.

1           For most institutions, that's almost a  
2 full load for a semester. So that had the  
3 potential of expanding it. But what we learned  
4 through the comments that we received and working  
5 with the various institutions was that most  
6 institutions already do some of this. But what  
7 they asked for was flexibility.

8           So we took and turned the nine credits  
9 plus three credits into hours, which is 270 hours  
10 hours, or nine credits, or a combination; and  
11 ninety credits -- excuse me -- ninety hours, or  
12 three credits, on English language learners or a  
13 combination.

14           And we said, at their suggestion, that  
15 applicable hours are limited to a combination of  
16 seat hours of classroom instruction; field  
17 observation experiences, which they all do now  
18 before they put a teacher into the actual practice  
19 teaching situation; major research assignments.

20           So if it's a major research assignment  
21 on how you teach English language learners, the  
22 various stages of development that they go  
23 through, those hours would count, and developing  
24 and implementing lessons plans with accommodations  
25 and adaptations for diverse learners. So when

1 they're actually student teaching, they would get  
2 hours for that.

3           So most of the institutions that we've  
4 dealt with felt that they probably could  
5 accommodate it that way as opposed to a full,  
6 straight 12 credits.

7           REPRESENTATIVE STAIRS: Have you ever  
8 consider to using Act 48 hours to meet these extra  
9 demands or extra hours? Was this ever considered  
10 or was --

11           DR. FOGARTY: Well, the Act 48 really  
12 applies once the person is certified and in  
13 services. The question is did we pull those  
14 things -- I think you're saying did we pull those  
15 things out and have them teach -- learn about  
16 teaching diverse learners through Act 48; in other  
17 words, once they're already teaching, should they  
18 be learning that either through Act 48 or moving  
19 from Level 1 to Level 2?

20           The answer is there's no way to provide  
21 a consistent set of instruction to them once  
22 they're out and have their degree in hand. We  
23 want them to walk in the door and realize that the  
24 kids that they're dealing with today are as  
25 diverse as they can possibly be, and they need the

1 skills.

2           And I think that's why we lose a lot of  
3 teachers, frankly, in the first few years. I  
4 don't think they're prepared to work with the  
5 children in the diverse settings that they have,  
6 and they're not successful and they don't stay in  
7 teaching.

8           And that's not a good thing. We want  
9 them to stay in teaching and provide them with the  
10 skills that are necessary.

11           MS. BRUMBAUGH: There is an expectation  
12 that district professional development plans will  
13 include provisions for all current faculty to have  
14 additional training through Act 48 on teaching  
15 children with disabilities and English language  
16 learners.

17           DR. FOGARTY: Right, but not in lieu of  
18 this.

19           REPRESENTATIVE STAIRS: Yes, and I  
20 appreciate, Mr. Fogarty, your attempts to be  
21 flexible and to hear all the sides, which I must  
22 admit that I, in recent memory anyway -- we've had  
23 some issues in the past that have been just vocal.  
24 But in recent memory from school districts and  
25 from the preparing institutions, you know, one

1 criticism after another.

2           And I know you've been flexible and  
3 tried to make some changes. So it'll be  
4 interesting to see as we continue on today how  
5 these changes are going to be accepted by those  
6 out in the field in whether preparing teachers or  
7 actually employing teachers.

8           And like I say, they've expressed many  
9 displeasures and you've made some changes. So as  
10 we go on today, we'll hear what they really think.  
11 Okay. Thank you. Very much.

12           DR. FOGARTY: Thank you.

13           CHAIRPERSON ROEBUCK: Representative  
14 Yudichak.

15           REPRESENTATIVE YUDICHAK: Thank you,  
16 Mr. Chairman. To the presenters who are over  
17 here, it's getting close to -- as the last of  
18 seven kids, I'm used to sitting at the kids'  
19 table. And Karen's one of eleven, so we're really  
20 at the kids' table.

21           In your testimony, you mentioned about  
22 the temporary challenges that the institution of  
23 higher education are going to face in implementing  
24 and addressing this issue and only about 50  
25 percent of our colleges right now are ready for

1 dual certification.

2           Could you speak to that and talk about  
3 what the challenges are for our colleges and  
4 universities and how they might expect to meet  
5 those challenges?

6           DR. FOGARTY: Absolutely. Is that for  
7 me?

8           MS. BRUMBAUGH: I think it was for me,  
9 but you can comment too. Based on the feedback  
10 that we've gotten from the institutions of higher  
11 education, certainly they're going to have to  
12 revamp their current K to 6 elementary programs  
13 into a preK to 3.

14           Many of them already have early  
15 childhood programs, but they're going to have to  
16 look at changing their current elementary program  
17 into a program that would meet the requirements  
18 for middle level, upper elementary, and middle  
19 level teachers, including certainly more content  
20 preparation so that teachers are able to teach  
21 content to middle level students, more preparation  
22 in teaching early adolescents.

23           The Department recently put together a  
24 stakeholder work group with folks from higher ed  
25 as well as middle schools, middle school

1 practitioners, to help us think through what the  
2 middle level guidelines would look like.

3           And incorporating the special ed  
4 requirements is a challenge. I don't think it's  
5 an unworkable challenge, but there are creative  
6 ways to address it. But it will require doing  
7 things differently than they're doing them now.

8           DR. FOGARTY: The comment that I wanted  
9 to make was from a staffing standpoint. We're in  
10 2007. We're looking at 2012. What they really  
11 need do as they have staff changes and retirements  
12 is take a look at the kind of individual that they  
13 need to employ who can offer their students in the  
14 college programs the skills that are necessary to  
15 work with the full range of children that are in  
16 our classrooms.

17           That's the biggest difference. So you  
18 might want a person who has some background in  
19 special ed, for instance, on staff. Many of them  
20 don't have those today. Think about that.

21           MS. BRUMBAUGH: I would just like to  
22 add, there are currently no middle level  
23 preparation programs operating in Pennsylvania.  
24 And we see that as a very serious problem.

25           When you look at PSSA results, you see

1 a decline from 3rd to 5th, from 5th to 8th grade.  
2 And in looking at some of the research about the  
3 importance of knowing your content and knowing  
4 adolescent development, we think it's critical  
5 that we have teachers prepared to teach that age  
6 group.

7           REPRESENTATIVE YUDICHAK: Just to  
8 follow up -- and I think you're correct,  
9 particularly on the middle school level, that  
10 that's really the age that we really seem to be  
11 developing the gap.

12           But to further go into Representative  
13 Stairs' question about adding these additional  
14 credits and asking more of these teacher students,  
15 are we gonna go across -- for example, they're  
16 trying to get their credits in at their college,  
17 West Chester University.

18           Summer comes around; they go back. If  
19 they can take one of these classes at a local  
20 school or a community college, is there gonna be  
21 that cross where they can take those classes at  
22 other schools? Or is this gonna be very strict to  
23 the specific teacher program that they're in at  
24 their primary college?

25           DR. FOGARTY: That's up to each



1 individual institution. That's nothing that we've  
2 ever regulated or legislated. It's up the  
3 individual institution to decide what they will  
4 and will not accept.

5           But I understand what you're saying.  
6 But, again, realize that it's not an additional 12  
7 credits. That is an option if the university  
8 wants to do it that way. They can do it with  
9 fewer credits and more hours of other kinds of  
10 activities.

11           MS. BRUMBAUGH: And there are  
12 opportunities for partnerships, and we certainly  
13 encourage that. I know that some of the  
14 roundtable discussions, Dr. Garland from the State  
15 system talked about the idea of State system  
16 schools partnering with small, private  
17 independents who may not have special education  
18 expertise.

19           So there are lots of ways to address  
20 this.

21           CHAIRPERSON ROEBUCK: Representative  
22 O'Neill.

23           REPRESENTATIVE O'NEILL: Thank you,  
24 Mr. Chairman. A question about teachers under the  
25 current system and how they're certified. How, if

1 these regulations are enacted, would it affect a  
2 current certified teacher?

3 MS. BRUMBAUGH: They would be  
4 grandfathered, the current certified --

5 REPRESENTATIVE O'NEILL: That's what I  
6 was thinking. But if you're a -- if you're  
7 certified under today's system and you have not  
8 been hired yet and you're long-term subbing or  
9 whatever and these go into effect, will those  
10 people be grandfathered also?

11 MR. BUCKHEIT: Yes.

12 MS. BRUMBAUGH: Yes.

13 REPRESENTATIVE O'NEILL: My next  
14 question actually deals with administrators,  
15 because you're talking about the changing in our  
16 schools today and teachers not necessarily being  
17 prepared for what they're facing in our schools  
18 today with diversity and everything.

19 Are you going to look at the way  
20 administrators are certified and make changes  
21 there and recommendations based on the way our  
22 schools are today and the changes in our schools  
23 today?

24 Certainly -- I mean, I've always felt  
25 the administrator should be a facilitator.

1 They've kind of outgrown that, in my humble  
2 opinion, and they don't do that anymore. However,  
3 with this, it seems to me that it's even more  
4 important for an administrator to be a  
5 facilitator.

6           So are there going to be any changes in  
7 that area --

8           MS. BRUMBAUGH: That's 49-3.

9           DR. FOGARTY: But seriously, even in  
10 49 -- and that is 49-3. But in 49-2, we are  
11 requiring that through Act 48 that every  
12 administrator in the Commonwealth participate  
13 specifically in instruction on working with  
14 diverse learners and English language learners.

15           That's the first time that type of a  
16 requirement will be put in place, and it would  
17 affect every working administrator in the  
18 Commonwealth. But there is a 49-3 coming, so...

19           MS. BRUMBAUGH: And I believe you have  
20 a hearing scheduled for April 3rd where we'll be  
21 back to talk about professional development for  
22 administrators.

23           REPRESENTATIVE O'NEILL: Thank you.

24           CHAIRPERSON ROEBUCK: We've been joined  
25 by Representative Kirkland and Representative

1 Wheatley, and I understand Representative Wheatley  
2 has a question.

3           REPRESENTATIVE WHEATLEY: Good  
4 afternoon. And I want to, one, say I know that  
5 there was a lot of time and energy that probably  
6 went in to producing these revisions and  
7 suggestions.

8           And I guess just -- whenever we start  
9 talking about this critical issue around  
10 certification, especially with our teachers, it's  
11 some very sensitive issues. Is one that by its  
12 pure nature causes some anxieties on all parts  
13 around this question.

14           One of my essential questions that I  
15 have for the panel -- and any one of you can  
16 answer this question for me. And I generally  
17 would say that I probably would agree that we have  
18 to have highly trained, qualified teachers in  
19 every classroom.

20           How will we -- and a lot of the impetus  
21 to do this is that we want to have highly-educated  
22 students who have all the possibilities in the  
23 world laid out for them.

24           How will we make sure -- and it's not  
25 part of what you're talking about today; but even

1 with the new revisions that this will improve, how  
2 will we assure that these highly-trained teachers  
3 are actually, the training that they receive,  
4 really makes them effective educators and that  
5 they are placed in the places that they are most  
6 needed?

7                   And I know that you haven't talked  
8 about this; but, one, when you were doing your  
9 research and you came up with these suggestions,  
10 what led you to believe that these types of things  
11 will actually produce better teachers?

12                   Because one of the areas that I didn't  
13 see in here was high school. And I remember you  
14 talked about the gap being middle school; but  
15 national studies are now showing, even in  
16 Pennsylvania, the gap gets larger in high school.

17                   So the efforts that you're going to  
18 hear, I mean, how do you really assure that what  
19 we change here will have produced a better  
20 product?

21                   MS. BRUMBAUGH: Well, I'll start and  
22 then others can chime in. We'll start with the  
23 early childhood certification. We do currently  
24 have early childhood education programs, and  
25 teachers are certified.

1           There is no requirement that they be  
2 hired by public school districts to teach in preK  
3 or kindergarten or the early grades. We do know  
4 from research that -- and from those  
5 superintendents who hire early childhood certified  
6 teachers, we know that they're much better  
7 prepared to teach young children:

8           That they're much better prepared to  
9 teach children to read. They are much better  
10 prepared to deal with different learning needs.

11           We've seen -- we have a number of  
12 school districts where they've instituted preK and  
13 full-day K and they're hiring early childhood  
14 certified teachers. We see the rates of special  
15 education referrals go down.

16           There is a lot of good information to  
17 tell us that hiring early childhood certified  
18 teachers help get children off to a better start  
19 in the school.

20           And the same applies to middle level  
21 content prepared teachers, teachers who are  
22 knowledgeable of the content that they're teaching  
23 and also of the special developmental needs of the  
24 children they're teaching do better. They're more  
25 effective.

1           So that's why we believe that changing  
2 the certification structure will lead to more  
3 effective teaching.

4           As far as placement, there's a lot of  
5 research on recruitment and retention strategies  
6 to get the best teachers to go to the districts  
7 where they're needed. And as part of our NCLB  
8 Highly Qualified Teacher Plan, we're really  
9 working with those high-need schools to help them  
10 develop good recruitment and retention strategies.

11           REPRESENTATIVE WHEATLEY: And I would  
12 just say and I'm going to hope -- I always get  
13 caught up. I will just say that I would hope that  
14 at some point as the State Board of Education and  
15 the Department of Education and all of us look at  
16 this issue of making sure we have highly-qualified  
17 administrators, teachers in high schools, middle  
18 schools all across the Commonwealth, that we  
19 really look at attaching and incentivising when we  
20 do these types of things to make sure that the  
21 teachers that are most needed are placed -- those  
22 with the most experience and the best qualified  
23 are placed in the areas of the most need.

24           And I don't necessarily see that  
25 connection all the time and I don't hear it as we

1 talk, but I definitely look forward to furthering  
2 that conversation.

3           So thank you, Mr. Chairman, and thank  
4 you for your presentation.

5           CHAIRPERSON ROEBUCK: Thank you.  
6 Representative Longietti.

7           REPRESENTATIVE LONGIETTI: Thank you,  
8 Mr. Chairman.

9           Representative Yudichak mentioned being  
10 at the kids' table. Perhaps they were at the preK  
11 to 3 table.

12           Two concerns that I heard. One deals  
13 with the timing. I see January 1st, 2012. And  
14 whether or not -- if I understand that correctly,  
15 then the class of 2008 going into college is going  
16 to fall under these new regulations if they're  
17 passed.

18           And there's a concern I believe at the  
19 college and university level whether there's  
20 enough time to make these changes given that time  
21 frame. That's one concern.

22           The other is that small school  
23 districts -- and I used to be a school solicitor  
24 and represented some of those small school  
25 districts -- and whether or not they will be able



1 to find -- these certifications, that we are able  
2 to find a sufficient number of folks to fill those  
3 slots.

4           And I understand there are some  
5 exceptions available; but if I read them  
6 correctly, it would be limited to a possibly  
7 three-year time period and be statewide. And I'm  
8 concerned about the smaller schools and their  
9 ability to meet these requirements. Do you want  
10 to comment on any of those?

11           DR. FOGARTY: Regarding the timing, we  
12 did move at the suggestion of the institutions the  
13 timing from 2010 to 2012 in the last draft of what  
14 was presented when it actually went through the  
15 Board.

16           Now, this has to go through the  
17 process. So when it makes its way through the  
18 process and back to us and right before it's sent  
19 out to come back to you for approval, at that  
20 point we would have to adjust that timing, I would  
21 think. That has to be -- 2012, it could be 2013.  
22 We don't know.

23           But we had to have a target in there.  
24 So we've moved it once, and we'll make a judgment  
25 as to whether or not it needs to be moved again.

1 We're getting that same concern.

2           The small school district question and  
3 as far as staffing, Pennsylvania certifies an  
4 awful lot of elementary education majors. As a  
5 matter of fact, certified -- wait. That's out the  
6 state. I have to get the in-state certificates.

7           Since 2000/2001, elementary K-6, we  
8 have certified 26,379 people with certificates.  
9 Last year in '04/'05, we certified 5,452 with  
10 elementary K-6 certificates. We have an  
11 overabundance of elementary certified teachers,  
12 many of whom either go and do something else or  
13 leave the state to teach.

14           That's really what happens. Or they go  
15 back and get a different certificate. So this is  
16 an area where we will not have a shortage.

17           And we're hoping that market forces,  
18 when people understand that if you have a 4-8  
19 certificate you're going to be in high demand,  
20 when they begin to understand that, that market  
21 forces will direct some of these 26,000 over into  
22 the newer area of 4-8 so we can begin focusing on  
23 that level of child and their developmental needs.

24           REPRESENTATIVE LONGIETTI: I hear the  
25 statistics. I just want to convey to you that a

1 college professor in my alma mater who I have  
2 tremendous respect for expressed that practical  
3 concern. And I bounced it off of some of the  
4 local superintendents in my area, and that they  
5 shared that concern.

6 MR. FOGARTY: I just had a conversation  
7 with Bob Strauss from Carnegie Mellon University  
8 who's doing a study for the Department, and the  
9 current number of elementary applicants for each  
10 available position is a hundred and seventy-five.  
11 That's what a survey of 320 superintendents  
12 recently determined.

13 There are a hundred and seventy-five  
14 candidates for each elementary position. So I  
15 don't think we have any kind of a shortage of  
16 people who could be redirected here.

17 CHAIRPERSON ROEBUCK: I'm going to just  
18 ask -- I actually don't think that's true for my  
19 schools, which is Philadelphia. I'd love to have  
20 that surplus of teachers apply in my city. That  
21 doesn't happen. That is the largest school  
22 district in the state.

23 DR. FOGARTY: We are aware of that.

24 CHAIRPERSON ROEBUCK: Thank you.

25 Representative Fleck.

1           REPRESENTATIVE FLECK: Thank you. I  
2 would echo Representative Longietti's comments.  
3 Having served on the school board in a rural  
4 district, it has always been a perennial problem  
5 to find teachers, mainly the middle school area.

6           Each year we're running into, like, the  
7 final week right prior to school starting. And so  
8 I do have some concerns about that.

9           My question is, The only feedback I've  
10 received on this issue has been from my local  
11 college, Juniata College, as well as several  
12 emails from similar type private liberal arts  
13 colleges.

14           Did you have any feedback? Were they  
15 at the table during these discussions, or was it  
16 the state universities --

17           DR. FOGARTY: Yes. Yes. We met with  
18 the independents and privates separately, as a  
19 matter of fact. They also participated in the  
20 large roundtables, but we had a special meeting  
21 with them in Carlisle and received an awful lot of  
22 input.

23           They were the primary driving force  
24 behind the flexibility. They were the ones who  
25 made it clear to us that if this should be done,

1 it needs to be done in a flexible way that they  
2 could begin to incorporate it.

3           We know that they can't go out and hire  
4 all new staff, and we know that a lot of these  
5 things are already happening; but the idea is to  
6 get directed learning to the students so that they  
7 have the skills when they come out of the  
8 classrooms. So, yeah, they have been -- their  
9 input's been heard.

10           REPRESENTATIVE FLECK: Thank you.  
11 Because that is one of the biggest concerns that I  
12 would have, especially if it gets pushed into a  
13 take them four and a half years to finish and you  
14 want to start teaching, that delayed the process a  
15 whole seven months before you can actually get  
16 into the classroom. And, you know, they're out --

17           DR. FOGARTY: It's surprising how many  
18 college students take five years these days  
19 anyway.

20           REPRESENTATIVE FLECK: It's becoming  
21 more and more common. So thank you.

22           CHAIRPERSON ROEBUCK: Representative  
23 Rapp.

24           REPRESENTATIVE RAPP: Thank you,  
25 Mr. Chairman.

1           I also share the concerns of my  
2 colleagues concerning rural school districts, and  
3 I have three rural school districts that I  
4 represent.

5           But I would also like you to share if  
6 the career and technical schools have been brought  
7 into this discussion and how that will impact our  
8 career and technical school instructors?

9           DR. FOGARTY: Yes. The Chapter 49  
10 regulations do require that career and technical  
11 prep instructors also receive a certain amount of  
12 training in working with diverse learners and in  
13 working with English language learners.

14           So the answer is yes, it will be built  
15 into their preparation as well.

16           REPRESENTATIVE RAPP: I've met with  
17 several of my career technical instructors not too  
18 long ago and I know this is a big concern for them  
19 and that they would have to have more teacher  
20 training for when they feel that what they are  
21 teaching is a career job, just to share that with  
22 you.

23           But also that I'm assuming that you've  
24 brought in, like, Pennsylvania College of  
25 Technology and the institutions of higher

1 education that deal with career and technical  
2 education.

3 DR. FOGARTY: We have had very good  
4 representation and comment from their association  
5 as well. So we do hear from them and we do  
6 understand. But they are also affected by the Act  
7 48 requirements.

8 REPRESENTATIVE RAPP: Right.

9 DR. FOGARTY: So they would receive  
10 training under Act 48 as well for the existing  
11 career and tech ed. And if career and tech ed  
12 across the Commonwealth is like the one that I ran  
13 in Schuylkill County, the answer is we have more  
14 children with IEPs than we've ever had in career  
15 and tech ed.

16 So the need to have those teachers  
17 trained is self-evident.

18 MR. BUCKHEIT: I believe the enrollment  
19 of students with disabilities in vocational  
20 schools is over 40 percent.

21 CHAIRPERSON ROEBUCK: Representative  
22 McIlvaine Smith.

23 REPRESENTATIVE McILVANE SMITH: Thank  
24 you, Mr. Chairman.

25 I wanted to say that, first of all, I

1 went back to school in the '90s, 1990, and  
2 graduated in 1995 from West Chester University. I  
3 had three special needs learners in my family. My  
4 oldest was a gifted student; my middle was an  
5 undiagnosed ADD with certainly learning  
6 disabilities, verbal reception problems; and our  
7 third was born with heart and respiratory defects.

8           So we were told to put her in an  
9 institution and forget about her.

10           While working with my three children, I  
11 learned that each child comes with a great deal of  
12 potential. It is up to every parent and every  
13 teacher to help tap into that potential to allow  
14 that child to realize its fullest in all areas.

15           Um, that third child is able to walk,  
16 talk, sing, play, and draw. And I'm very proud of  
17 how our family pulled together to create that  
18 miracle.

19           I went back to school because of that.  
20 I felt that I had something to offer the  
21 educational world. And then I realized after I  
22 graduated and I got a job teaching 4th grade that  
23 I was really a theorist, not a practitioner.

24           And my question to you is, is that, you  
25 know, when you're thinking through these changes,



1 you know, theory versus practice, have you thought  
2 about how people, when they go to school to become  
3 teachers, sometimes we're not market driven.

4 I didn't go thinking, gee, I'll get a  
5 job maybe in 7th and 8th grade. And believe me, I  
6 didn't want to teach 7th or 8th grade. I know my  
7 limitations. Fourth grade was really where I  
8 belonged.

9 But I'm really concerned about, you  
10 know, how we're talking about the market forces.  
11 And could you just comment to that? And I have a  
12 follow-up question then.

13 MS. BRUMBAUGH: I think you raise a  
14 good point. And I see that as the role of the  
15 people in higher education to help make these  
16 young students aware of where the need is.

17 I mean, to me, to continue to train the  
18 number of elementary teachers that we train in  
19 this state knowing full well that most of them are  
20 not gonna get jobs is just not a good use of  
21 resources or not good for the student. So I see  
22 that as a counseling role, both in high school and  
23 in college.

24 Jim, any comment?

25 DR. FOGARTY: Just, you know, reading

1 the -- an article from the Detroit News last week,  
2 70 percent of education school grads can't get  
3 jobs in -- now, this says Michigan. But read the  
4 article. You'll be amazed. They're facing the  
5 same thing. They're producing thousands and  
6 thousands of students with -- to teach elementary  
7 with taxpayer dollars who can't get jobs.

8           REPRESENTATIVE McILVANE SMITH: I also  
9 wanted to say -- and thank you for your comments.

10           We had an informational session this  
11 morning for the Special Education Subcommittee.  
12 And one of the things I heard was that reading was  
13 an area that we really need to invest more time  
14 and energy in and that we need reading specialists  
15 is the way I interpreted it to make sure that our  
16 children are able to do a better job in their  
17 studies.

18           It's about learning to read and then  
19 reading to learn. We need to make sure that they  
20 have comprehension. I also -- you know, in old  
21 school, I went to elementary school in the '50's.  
22 It was all about reading, writing, and arithmetic,  
23 the three R's. I love it.

24           Science is so important. It teaches  
25 them critical and analytical thinking along with

1 math and that kind of analytical thinking. And  
2 when we're talking about this requiring that new  
3 special education teachers hold dual certificates  
4 in special education and one regular education  
5 area, the special education certificate would be  
6 divided into preK through grade 8 and secondary  
7 grades 7 through 12th, I have another concern.

8           How come we're dividing it that way for  
9 special ed but we're dividing it so finely for  
10 those elementary school teachers?

11           MS. BRUMBAUGH: Well, I think the  
12 current certificate is for N through 21. So just  
13 dividing that in half is a giant step forward.  
14 The content specialization, the preK to 8  
15 certificate, would be paired with either an early  
16 childhood or a 4 to 8 certificate and then the 7  
17 to 12 with the content area certificate.

18           DR. FOGARTY: See, No Child Left Behind  
19 has driven some of this. And this is an area  
20 where No Child Left Behind is driving the idea of  
21 the highly-qualified teacher, because every person  
22 has to be highly qualified in a subject area.

23           So the elementary teachers had special  
24 challenges, special ed teachers had special  
25 challenges because they really did not have a

1 particular subject associated with their  
2 certificate.

3           REPRESENTATIVE McILVANE SMITH: So we  
4 couldn't have areas of concentration, because I  
5 know with my elementary degree I had a -- I was  
6 going for an area of concentration in math and  
7 then switched to environmental ed.

8           So we couldn't do something like that,  
9 you know, with our elementary? Have them just an  
10 area of concentration in early childhood and an  
11 area of concentration in the later grades?  
12 Wouldn't that be sufficient?

13           MS. BRUMBAUGH: Well, that's a  
14 suggestion that was put on the table.

15           REPRESENTATIVE McILVANE SMITH:  
16 Approved or rejected or both?

17           REPRESENTATIVE GRUCELA: Is there an  
18 answer to that?

19           DR. FOGARTY: It was one of the  
20 suggestions that was made, but it really doesn't  
21 meet the highly-qualified standard.

22           REPRESENTATIVE McILVANE SMITH: Of No  
23 Child Left Behind?

24           DR. FOGARTY: Right. And gets you to  
25 the point where a person can actually take the

1 praxes and pass it. They have to have training in  
2 that subject area.

3 MR. BUCKHEIT: I believe, again, just  
4 like the other -- the other issues that -- you  
5 start making decisions around how much you can fit  
6 into the four-year degree. And we thought that  
7 the special -- or five years or whatever.

8 But we tried to address this in a way  
9 that could be managed by most institutions by  
10 maintaining a four-year -- finish this program in  
11 four years. So there's a question how much can  
12 you put in there, continue to force in there? And  
13 that was one of the decisions.

14 If you're going to focus on early  
15 learning, you need to concentrate in that area.  
16 You want to focus on the intermediate elementary  
17 and middle school level, that's probably about all  
18 you could do.

19 Some institutions -- there are a number  
20 of institutions now, particularly the independent  
21 colleges, universities, that offer dual  
22 certificates in special education and in  
23 elementary education.

24 And they're stretching their credits  
25 requirements up to 129, 131 credits, which is

1 still achievable. But in four years, if you may  
2 take a summer course or, you know, during the  
3 break or things like that, you can still do it;  
4 but it's pushing the envelope. So that was one of  
5 the other considerations.

6 REPRESENTATIVE McILVANE SMITH: Thank  
7 you.

8 CHAIRPERSON ROEBUCK: Representative  
9 Beyer.

10 REPRESENTATIVE BEYER: Okay.  
11 Dr. Fogarty, I can't see you. Are you the one  
12 that said about a 171 or 170 applicants per job in  
13 elementary?

14 DR. FOGARTY: Yes.

15 REPRESENTATIVE BEYER: If we had  
16 corporal punishment in our education system, I  
17 would come over there and spank you for saying  
18 that. And let me tell you why.

19 DR. FOGARTY: Please. Please tell me  
20 why.

21 REPRESENTATIVE BEYER: My Chairman is  
22 absolutely correct, and no wonder he spoke up  
23 right away. There are no way applicants at that  
24 level. Let's just go further on the specialty  
25 side.

1           When I was president of my school  
2 board, we tried to coordinate our special needs  
3 services; so we'd look for a special needs  
4 coordinator, manager to hire in our school  
5 district.

6           2400 children, the starting salary was  
7 \$85,000. We could not find anyone. It took us  
8 months to find someone. I can tell you now we  
9 didn't have 171 applicants, not only for not that  
10 job, but for any other job we ever advertised for.

11           And especially the demands of  
12 getting -- because I want to institute kind of a  
13 practice where we were recruiting minority  
14 teachers to bring diversity within my school  
15 district, and we had trouble finding minority  
16 teachers to hire.

17           It was -- it's really problematic. So  
18 I'm just gonna say to you as a former school board  
19 director, How are you going to get school  
20 districts to enforce or supervise or oversee these  
21 changes that you're proposing? because that's  
22 really what it does.

23           It puts school districts almost in like  
24 an enforcement position. And I -- you know, at a  
25 time when you're really asking teachers to have a

1 much bigger classroom, to be more inclusive, and  
2 now you're starting to limit their certificates.  
3 You're really narrowing their certificates now.

4           So I'm just wondering how you can do  
5 both? And thank you, Mr. Chairman.

6           DR. FOGARTY: To answer the last part  
7 of it first, you're narrowing the certificate in  
8 the fact that it was at K-6 and now it's gonna be  
9 a K-3 or 4-8; but you're increasing the focus on  
10 the learner.

11           You're saying that those children who  
12 are in K3 are different than kids who are in 4-8.  
13 And the teacher's preparation needs to be focused  
14 at those children. So, you know, I work in school  
15 districts too; and I understand that it's not  
16 always easy to fill every spot.

17           But when you look at how long it's  
18 gonna take for these regulations to actually take  
19 effect, the day that 2012 comes, you're going to  
20 have 122,000 certified teachers. 61,000 of those  
21 are already elementary teachers. So you have a  
22 cadre of 61,000 that you can assign under their  
23 old teaching scope.

24           So it's really the new teachers that  
25 you're talking about who will have some



1 restrictions in their assignments. So it would  
2 take many, many years for that to have a very  
3 serious impact on districts broadly.

4           But what they will gain, what the  
5 children will gain far outweighs what would be  
6 lost because an administrator needs to surge down  
7 that pile a little bit further.

8           You know, and I do understand the  
9 shortages that exist in certain urban areas. We  
10 are well aware of that.

11           REPRESENTATIVE BEYER: Just one final  
12 comment, because I'm not sure shortages don't  
13 exist everywhere. It's more acute in the urban  
14 areas. I represent the City of Allentown.  
15 Allentown School District, we know we see them  
16 there and --

17           DR. FOGARTY: In a few subject areas  
18 there are shortages, but not -- certainly not in  
19 the elementary that we're talking about. We have  
20 the 2004/'05 annual report here and we can give  
21 you the number of people that have been certified  
22 in each of the areas by year. So we do have those  
23 certification numbers.

24           But Pennsylvania in '04/'05 certified  
25 12,687 -- issued 12,687 certificates. So there

1 are a few areas that are low; but for the most  
2 part, except maybe science and few of the math  
3 areas and oral languages --

4           MR. BUCKHEIT: There have been  
5 persisting problems in some special education  
6 areas as well. Those have been persisting over  
7 decades. It hasn't -- those children just exist  
8 because, under the current certification system  
9 and they're more a factor of pay benefits, working  
10 conditions in the school districts that we're  
11 talking about where the shortages exist.

12           REPRESENTATIVE BEYER: Just one final  
13 comment: The dilemma of school districts the way  
14 I see it right now is we have our experienced  
15 seasoned teachers. They are being offered  
16 incentives to retire early.

17           Why? School districts now have budgets  
18 that they're consistently raising taxes to try to  
19 meet the needs of the educational needs of the  
20 students in the district.

21           They believe that the more experienced,  
22 higher-qualified, higher-educated teachers are  
23 more expensive and, therefore, it's less of a  
24 financial burden if they bring in more younger,  
25 newer teachers that don't have the salary

1 requirements. So they're incentivising early  
2 retirements.

3 I mean, how does that all fit into  
4 this, what you're proposing? Because we know  
5 now -- am I not correct -- and Representative  
6 Grucela can maybe help me out here.

7 But am I on the right track here, Rich,  
8 in terms of school districts incentivising early  
9 retirement for teachers who have experience and  
10 now we're bringing in new teachers that have none  
11 and now we're changing the whole certification  
12 requirements?

13 I mean, it seems like it's a whole mass  
14 of bad things happening at once. Not bad things,  
15 but certainly a mass of things happening at once  
16 to school districts.

17 MS. BRUMBAUGH: If I could  
18 comment -- and I served on a school board for 14  
19 years, so I certainly understand the challenges  
20 that local school boards face.

21 But many of the things that you that  
22 you've talked about are really local board  
23 decisions. In this Commonwealth of Pennsylvania,  
24 we have created this system of school boards and  
25 we've given them certain powers and policy making

1 authority.

2           And I guess I always saw my role as a  
3 local school board member to establish policies  
4 that were going to create the best learning  
5 environment for the children that we were  
6 responsible for educating.

7           And if local school boards think that  
8 it's wise to incentivise people to leave,  
9 experienced people to leave to save money, then I  
10 have to respect their decision. I may not agree  
11 with it, but I have to respect their decision.

12           But these are local policy issues that  
13 boards grapple with. What we're trying to do is  
14 establish State policy that provides a teacher  
15 education framework that's going to result in  
16 well-trained teachers for school boards to hire.

17           DR. FOGARTY: And as far as the changes  
18 in teacher prep in the split certificate, it's the  
19 old saying: If you do what you always did, you  
20 get what you always got.

21           It's time to take another look, and  
22 this is a golden opportunity to do that. And  
23 that's really the way I look at this. We can't do  
24 this alone as basic ed. That was my primary  
25 experience. After 30-some years, I retired from

1 basic ed.

2           But we can't do this alone. Higher ed  
3 has to play a part in helping us by helping  
4 us -- by providing a more highly-qualified teacher  
5 to work with the children. That's the bottom  
6 line.

7           However you measure that highly  
8 qualified, it doesn't really matter; but what  
9 matters is the person has the skills that are  
10 necessary to work with today's diverse learners.

11           CHAIRPERSON ROEBUCK: Let's go then to  
12 Representative O'Neill for one quick follow up.

13           REPRESENTATIVE O'NEILL: No, it was  
14 answered.

15           CHAIRPERSON ROEBUCK: Let me then just  
16 ask two brief questions.

17           I'm sorry. Representative Carroll.

18           REPRESENTATIVE CARROLL: Thank you,  
19 Mr. Chairman. Just one quick question,  
20 Dr. Fogarty.

21           You mentioned in your testimony that in  
22 December 2006 the USDOE approved the  
23 Commonwealth's plan to comply with the  
24 highly-qualified teacher provision of No Child  
25 Left Behind.

1           Was that approval contingent upon these  
2 proposed regulations being implemented?

3           MR. BUCKHEIT: No.

4           DR. FOGARTY: No.

5           REPRESENTATIVE CARROLL: Okay. Thank  
6 you.

7           CHAIRPERSON ROEBUCK: Let me go then to  
8 Representative Rohrer.

9           REPRESENTATIVE ROHRER: Thank you,  
10 Mr. Chairman. Dr. Fogarty, I have a question.  
11 Listening here, obviously, a lot of questions by  
12 this panel or this group up here on this  
13 Committee.

14           Some are in the -- implications would  
15 be in the implementation of this. I have a couple  
16 that go kind of more to the, I guess to the core  
17 part of this.

18           If you could state in a very simple  
19 form, what would you say the problem is that we  
20 are attempting to -- that the Board is attempting  
21 to solve by these regulations? What is the  
22 problem that you're attempting to solve?

23           DR. FOGARTY: We see through the PSSA  
24 scores and other achievement scores a decrease in  
25 student achievement that begins after the 3rd

1 grade. The trend continues all the way through  
2 the 8th grade and it continues to -- it's  
3 especially serious with children who have special  
4 learning needs and with English language learners.

5           We need to do something to begin to  
6 turn that tide. And we can turn the tide by  
7 providing a better quality teacher and also taking  
8 the existing hundred and twenty-two thousand  
9 teachers and make sure that they receive  
10 additional training in those areas through  
11 induction, through Level 1/Level 2 certification,  
12 and through Act 48 by putting it all together into  
13 a continuous system of professional improvement.

14           We need to reverse the decline that  
15 occurs after grade 3.

16           REPRESENTATIVE ROHRER: That was a  
17 good, long answer; but I think buried within that,  
18 I think you stated what you kind of referred to in  
19 the document: That the policies of the Board  
20 really have been directed pretty much by NCLB.

21           And you did comment on the fact that it  
22 was the PSSA scores, which is NCLB, that have made  
23 this obvious.

24           We didn't know prior to PSSA --

25           DR. FOGARTY: We knew about specific

1 individual children with PSSA tests because it  
2 gave us information about individual children.  
3 Before that, we had the Tells Program (phonetic),  
4 and that gave us some information about children  
5 who were struggling.

6           Before that, we had something called  
7 EQA, Educational Quality Assessment, that really  
8 measured school districts broadly. It didn't  
9 measure individual children. You didn't get any  
10 feedback on individual children performance.

11           But PSSA -- which by the way, we had in  
12 place prior to NCLB. We began some of that  
13 testing prior to NCLB -- has really opened our  
14 eyes to the achievement gap that's there.

15           REPRESENTATIVE ROHRER: I'm aware of  
16 that. There have been some questions with the EQA  
17 and the Tells prior to the PSSA.

18           DR. FOGARTY: Absolutely.

19           REPRESENTATIVE ROHRER: But certainly  
20 there have been a lot of -- you know, actually,  
21 I've been a part of some hearings where we've had  
22 hearings on the PSSA. And I think we all agree  
23 that it really can't measure and it doesn't  
24 properly measure all that it's intended to try and  
25 determine.



1           But that being the case, I think the  
2 questions that have been raised relative to what  
3 is being done relative to reauthorization, the  
4 questions that have remained and do remain I think  
5 exist relative to the accuracy of the PSSA in  
6 determining certain things.

7           I'm just questioning, I guess, the  
8 extent to which it is the premise upon which the  
9 changes are being made.

10           A second question would be that you've  
11 referenced to the fact that began to drop off  
12 scores in 3rd grade. You've referenced drop off  
13 scores going between elementary and middle school  
14 and, therefore, you have reason to make a change  
15 in the certification.

16           Again, the analysis of the Board on  
17 that, is the assumption that difficulties  
18 encountered in middle school, for instance, are  
19 the result of deficiencies in the teacher in the  
20 middle school? Or is it a deficiency perhaps in  
21 the teacher in the elementary teacher? Or it is,  
22 in fact, a deficiency in the quality of the  
23 teacher -- of the teacher college?

24           So where are you going -- I mean, I  
25 know the PSSA does not designate that. So where

1 are you trying to go as the solution to the  
2 problem?

3 MR. FOGARTY: I think the answer to  
4 that is that we've set a standard for teacher  
5 quality as required by NCLB and we expect our  
6 teachers to meet that standard, whether they're an  
7 elementary teacher or a middle school teacher or a  
8 high school teacher.

9 And certainly you're right. I mean,  
10 the deficiency in a child's life could have  
11 occurred from a lot of things, and not just the  
12 school itself. So there could be a lot of things  
13 that have gone on. The piece that we can control  
14 is what happens in school.

15 So whether it's the middle school that  
16 doesn't have the background and isn't picking up  
17 from where the elementary brought the child and  
18 isn't picking it up from that level or whether  
19 it's the fact that the elementary teacher didn't  
20 bring the child up to where the middle school  
21 teacher could pick it up.

22 The idea of having a teacher stand-off  
23 is what gives us a better feeling about how  
24 children will learn in the future if we know that  
25 our teachers are indeed meeting certain minimal

1 standards.

2 MR. BUCKHEIT: Let me add to that.

3 PreNCLB in this state, elementary certified

4 teachers were permitted to teach middle school.

5 And as you know, the content, the academic content

6 taught in middle school is vastly different than

7 what is taught in the elementary schools.

8 And so there -- after NCLB, that

9 practice was prohibited. And so we have 5,000

10 teachers in our middle schools who are elementary

11 certified who -- that's why we had to develop the

12 bridge certificate and had them put a testing

13 procedure in place so that those middle school

14 teachers could demonstrate that they knew the

15 academic content that they were teaching at that

16 level.

17 So we still have 5,000 elementary

18 certified teachers who now through other means

19 we've designated as highly-qualified teaching in

20 our middle schools who didn't have the preparation

21 to prepare them to work at that level either in

22 terms of child development, adolescent

23 development, or academic content.

24 So that's one of the issues that this

25 is attempting to address.

1           MS. BRUMBAUGH: And if I could add just  
2 one thing: For the past decade or more, the K to  
3 12 system has undergone dramatic change. Even  
4 prior to NCLB Pennsylvania started on the  
5 standards bandwagon and really have moved K to 12  
6 education to a standards-based system.

7           We know from the teacher -- from the  
8 survey conducted by the Governor's Commission on  
9 Teaching that a significant number of teachers do  
10 not feel that they're prepared to teach in a  
11 standards-based system; they don't feel that  
12 they're prepared to use assessments to improve  
13 instruction; they don't feel that they're prepared  
14 to teach a wide variety of learners, all of which  
15 they have to do in our K to 12 system.

16           So it's not fair to continue to prepare  
17 teachers for a system that doesn't exist any  
18 longer. Higher ed needs to adapt their programs  
19 to prepare the kinds of teachers that the K to 12  
20 system needs, the preK to 12 system.

21           REPRESENTATIVE ROHRER: All right.  
22 Okay. I won't go any further with that. My last  
23 question would be just for clarification purposes.  
24 We talk about diverse learners. What is your  
25 definition of diverse learners?

1           DR. FOGARTY:  Children with special  
2 needs, with IEPs we consider diverse learners.  
3 English language learners we also consider diverse  
4 learners.  So really to combine the two together  
5 into --

6           MR. BUCKHEIT:  And just to inject a  
7 point, that under the regulatory scheme, the way  
8 we have to write a regulation, a term that's  
9 defined in a regulation only applies to that  
10 regulation.

11           And so the way that the term diverse  
12 learners was defined in this proposal was  
13 specifically designed only to apply within the  
14 context of the certification requirements, not to  
15 go to curriculum requirements or any other matters  
16 of education.  Solely around this proposed set of  
17 regulations.

18           REPRESENTATIVE ROHRER:  Okay.  I had  
19 suspected that's what it was.  I was hoping  
20 perhaps it did include something along the line of  
21 different learning styles or something of that  
22 flavor.

23           You know, a lot has been mentioned.  
24 Obviously, the fact of reading as being a  
25 foundation element, if that's not right, they're

1 not gonna perform right in high school. And that  
2 tends to fall apart. That brings them down  
3 whether they're taking math or science or anything  
4 else.

5           And so does -- so does the  
6 understanding of the fact that some kids learn  
7 more audibly and some more visually and some more  
8 tactily.

9           And I'm just wondering within the  
10 context of all of this that we're talking about,  
11 is there anything in here that strengthens at all  
12 the emphasis on reading and reading technique and  
13 the fact that we are -- some kids learning  
14 different, not just the fact of disability, but  
15 this other side as well? Just out of curiosity.

16           MS. BRUMBAUGH: Because of the  
17 regulations, the Department needs to change all of  
18 its program guidelines. That's where you'll see  
19 more emphasis on how to teach reading on -- in  
20 the, certainly in the preK to 3 certificate.

21           And we're not going to do this without  
22 input from the field. There are folks from higher  
23 ed and from the preK to 12 system involved in the  
24 work groups that will be finalizing the  
25 regulations.

1                   But a lot of the important guidance  
2 that will determine how teachers need to be  
3 trained will be contained in those department  
4 guidelines.

5                   REPRESENTATIVE ROHRER: Thank you very  
6 much. Mr. Chairman.

7                   CHAIRPERSON ROEBUCK: Representative  
8 Curry.

9                   REPRESENTATIVE CURRY: Thank you. Just  
10 two questions: Is there any research that can  
11 clarify this drop off after 3rd grade scores, give  
12 us some clue as to why that's happening?

13                  DR. FOGARTY: When you look at the  
14 structure of the PSSA and the analyses that the  
15 Department of Ed puts out, you see the drop off.  
16 And what they do is break it down into groups,  
17 subgroups of children who are actually not  
18 achieving at the higher levels.

19                  So the analyses that the Department  
20 gives us tells us that certain learners, certain  
21 racial groups and so forth that are broken down  
22 from one group to the next, certain groups do not  
23 tend to do as well.

24                  English language learners do not tend  
25 to do as well on the test. So it's broken down

1 that way. And we do have analyses that show us  
2 that children with special needs and English  
3 language learners are especially affected.

4           And when I say the scores go down, they  
5 go down -- they're pulled down because those  
6 groups are not achieving at the level that they  
7 should be.

8           REPRESENTATIVE CURRY: And just those  
9 two groups?

10          DR. FOGARTY: No. No, it's not just  
11 those two groups. It's a variety of groups.

12          REPRESENTATIVE CURRY: Do you  
13 have -- can you get access to that analysis?

14          DR. FOGARTY: Yes.

15          REPRESENTATIVE CURRY: I'd like to see  
16 it.

17          DR. FOGARTY: Yes.

18          REPRESENTATIVE CURRY: We had testimony  
19 in here in early childhood education that showed  
20 that with the early childhood start before  
21 kindergarten they sailed through and there was no  
22 drop off after 3rd grade. So I'm a little  
23 confused by this information.

24          DR. FOGARTY: We're looking at the  
25 current situation --



1           REPRESENTATIVE CURRY: Well, this was  
2 current. This was current.

3           MR. BUCKHEIT: Right. But, of course,  
4 the students who are going through prekindergarten  
5 or a full-day kindergarten that recently started  
6 in more recent years haven't reached the middle  
7 grades yet. So we don't know where they are in  
8 terms of --

9           REPRESENTATIVE CURRY: This was based  
10 on a 15-year study.

11          MR. BUCKHEIT: Right.

12          MS. BRUMBAUGH: We do know that it  
13 makes a difference. There just aren't a  
14 lot -- I mean, preK in Pennsylvania schools is  
15 relatively new. We know that as it grows it is  
16 going to make a difference. And having a  
17 qualified teacher for those early grades is an  
18 important part of that.

19          REPRESENTATIVE CURRY: I want to focus  
20 on that qualified teacher. When you want to  
21 divert time from special ed programs to take  
22 courses so you can be proficient and a good  
23 teacher in math or social studies or English,  
24 aren't you diluting that special ed program, the  
25 quality of it? Or aren't you diluting the quality

1 of the special area where they're gonna teach?

2 DR. FOGARTY: I don't believe you're  
3 diluting it. I think you're looking to change the  
4 emphasis as to what's taught.

5 One of the commenters that we received  
6 comment from said, Think back of your college year  
7 and think of all the courses that you took to get  
8 your degree. Are there any of those courses that  
9 you could have done without?

10 And the resounding answer to that was  
11 yes. And that's what the colleges need to do is  
12 take a serious look at what it is they're  
13 requiring of each and every track of student and  
14 decide what's most appropriate to put in to those  
15 tracks.

16 REPRESENTATIVE CURRY: So we really  
17 need to hear from them --

18 DR. FOGARTY: That's right.

19 REPRESENTATIVE CURRY: -- the  
20 requirements in special ed training can be -- we  
21 could subtract nine hours out of that to take a  
22 course or three courses in history or --

23 DR. FOGARTY: Right, and --

24 MR. BUCKHEIT: Or to embed the content  
25 into existing courses.

1 DR. FOGARTY: Or to embed the content.  
2 Because it's nine hours or 270 -- nine credits or  
3 270 hours.

4 REPRESENTATIVE CURRY: Okay.  
5 Representative Shimkus.

6 REPRESENTATIVE SHIMKUS: I have a  
7 statement more than a question, but I hope you'll  
8 comment on it. I know a lot of Members of the  
9 Committee and others that have spoken have  
10 education backgrounds. I am not a teacher or a  
11 school board member. My background is a member of  
12 the dreaded media.

13 But I remember there was a school  
14 district close to my area that just got bashed  
15 because its PSSA scores were not good. And so I  
16 remember -- the story we did, is the school  
17 districts just decided to teach to the test.

18 And ever since doing that I said, I  
19 have -- I put, you know, no credence to the PSSA.  
20 I'd rather hear from the teachers. Because I've  
21 seen how that, you know, how you can just, you  
22 know, manipulate the scores.

23 And so I'm listening, you know, sitting  
24 back here and I keep hearing PSSA and I'm thinking  
25 to myself, I'm not sure that I trust it as the

1 basis of anything. So maybe you could just  
2 comment on that for a retired member of the media.

3 MR. BUCKHEIT: The State Board created  
4 the PSSA as it's now currently configured with its  
5 Chapter 4 regulations that were issued in 1999.  
6 And that is to have an assessment that measures  
7 both student and school performance against the  
8 state academic standards.

9 And the tests are administrated in  
10 reading, writing, mathematics and, starting next  
11 year, in science.

12 Two years ago, the Board wanted to  
13 check to see if the Department had designed and  
14 administered the test consistent with its  
15 intentions that were laid out in the regulations  
16 back in 1999.

17 So the Board hired an independent  
18 research organization that is very well-respected  
19 nationally to do a validity study that looked at  
20 whether or not the PSSA adequately assesses  
21 whether a student is proficient in meeting the  
22 State academic standards.

23 It also looked at, does the PSSA  
24 produce results comparable with other  
25 well-respected assessments and a whole series of

1 other tests that are applied to these kind of  
2 large-scale assessments.

3           Well, the -- and I can provide copies  
4 of that report. But, in essence, we all view this  
5 Scholastic Aptitude Test as something that is  
6 somewhat reliable. We have your likes and  
7 dislikes about it, but it's used universally  
8 across the country by colleges and universities.

9           So one of the examinations that the  
10 consultant did was to compare the PSSA against the  
11 Scholastic Aptitude Test. They looked at over  
12 300,000 student -- administrations of the PSSA.

13           So 300,000 Pennsylvania students  
14 against the same student scores on the SAT and  
15 found that in terms of the reliability of the  
16 PSSA, for mathematics it was a .92 correlation.  
17 One-to-one is perfect. .92 almost, over 90  
18 percent correlation if a student takes the PSSA  
19 and they take the SAT, that the results are going  
20 to be that close in terms of comparability.

21           For reading, it was over .80. So  
22 again, the results were very similar in terms of  
23 the predictability of students' performance on a  
24 Scholastic Aptitude Test as measured by the PSSA.

25           They also went and looked at, with the

1 cooperation of seven school districts around the  
2 state, because school districts also administer  
3 their own tests that they buy from national  
4 providers.

5           They looked a Terra Nova, the Stanford  
6 Achievement Test, the Metropolitan Achievement  
7 Tests, the New Standards Reference  
8 Examination -- all of the major exams that are  
9 used by school districts.

10           And they compared the PSSA results  
11 against those assessments and found similarly that  
12 the PSSA came out with a very highly correlating  
13 predictor of student performance as to those other  
14 assessments.

15           So the Board feels that, given those  
16 results, the PSSA stands up to the test of almost  
17 any of the major examinations that are used to  
18 determine student performance that are in use  
19 around the country.

20           So, you know, we have this sort of, you  
21 know, urban legend around the PSSA in that it's an  
22 inappropriate test. And, yes, there are  
23 limitations because it's administered as a  
24 snapshot in student performance in a short period  
25 of time. And there are limitations to what

1 happens.

2           The PSAT, you do it poorly one time,  
3 you can take it over again. But on the whole, the  
4 test stands up to most of the other major  
5 nationally standardized tests that are  
6 administered, not only in our school districts,  
7 but also by the Educational Testing Service.

8           So just, I'd be happy to share those  
9 reports.

10           DR. FOGARTY: Just one other comment:  
11 If they're teaching to the PSSA, then they're  
12 teaching to the standards. And the whole idea is  
13 to have standards in these various subject areas.  
14 So if that's what they're teaching to, then their  
15 scores on the PSSA would go up.

16           The districts over the past five to ten  
17 years have aligned their curriculum with the State  
18 standards. That's what -- they've gone through  
19 processes to do that to make sure that the  
20 curricula that they offer and the standards are in  
21 alignment.

22           So what they're teaching is what's  
23 tested. And that's fair to kids. When you test  
24 what's taught, that's very fair to children.

25           REPRESENTATIVE O'NEILL: I respectfully

1 disagree.

2 REPRESENTATIVE McILVANE SMITH: Me too.

3 REPRESENTATIVE SHIMKUS: Just one more  
4 point, Mr. Chairman.

5 My belief is that the PSSA is a tool,  
6 but my experience is that sometimes too much  
7 emphasis is placed on it and there needs to be one  
8 tool in an entire classroom setting.

9 And so in listening to your testimony,  
10 I think what I suggest and what I believe for  
11 myself is that I'm concerned about, you know,  
12 everything being based on PSSA.

13 And I guess what I'm saying is I'll be  
14 really anxious to hear what the teachers have to  
15 say to it.

16 DR. FOGARTY: Sure.

17 CHAIRPERSON ROEBUCK: Thank you.

18 Representative -- has a question.

19 VOICE: Thank you, Mr. Chairman.

20 And I've been listening and reviewing  
21 the testimony and now I have some questions. I'm  
22 confused. One real simple question is, How long  
23 has No Child Left Behind been in effect for us to  
24 have to meet the compliance standards?

25 MR. BUCKHEIT: It was signed in on



1 December of 2001. So...

2 VOICE: When was the effective date  
3 that we had to begin following or utilizing it?

4 MR. BUCKHEIT: There were -- different  
5 portions of the law became effective at different  
6 dates, but, generally, early 2002.

7 VOICE: Because I'm a little bit  
8 concerned that we're tracking data from 3 to 8 in  
9 grade school advancement, but yet the benchmarks  
10 that we have to obtain are from legislation that  
11 may not have been in place as we came through that  
12 process.

13 And, in fact, you know, the 3rd graders  
14 that are now probably the 8th graders that we're  
15 reviewing were in the same system throughout the  
16 same process. And I think it causes me concern.

17 But more importantly than that, from  
18 what I'm hearing you tell me is, you know, we have  
19 all these No Child Left Behind, PSSA,  
20 highly-qualified teachers, and I'll throw in some  
21 other beauties from the past, you know,  
22 outcome-based education, Classrooms Without Walls.

23 You know, it seems like we get into  
24 this vogue modes of education. And to quote  
25 Dr. Fogarty, if we keep doing the same things that

1 we do, we'll get the same thing that we had.

2           And that's what I think we keep doing  
3 is we keep finding this vogue, whatever's in the  
4 sense (phonetic) today, and then we keep following  
5 or trying to follow this vogue education for the  
6 temporary time and we keep repeating what we've  
7 done before with the new methodology and we aren't  
8 enjoying any greater success even though we're  
9 changing the way we deliver education.

10           And I can tell you that to some degree  
11 I take issue with challenging the colleges and  
12 universities that we're not teaching and preparing  
13 teachers properly. Because any one of us that are  
14 here today that are graduates of a college or  
15 university, we certainly graduated high school, I  
16 don't think I had any bad teachers.

17           Some were better than others, but none  
18 were bad. They were all highly qualified at the  
19 time back in the '60s and then into the '70s. And  
20 I can't say today in good conscience that we have  
21 bad teachers now. These are college graduates.

22           If you're looking in the private  
23 schools, the private parochial schools, the public  
24 schools, the charter schools, anywhere that you  
25 go -- I mean, these are not uneducated,

1 unqualified people. These are highly qualified,  
2 highly capable individuals who are teaching.

3           The bottom line that we come down to  
4 is, is we are forced to match a standard -- No  
5 Child Left Behind, which ultimately translates  
6 into all children left behind -- that we have to  
7 meet a standard that's unrealistic.

8           So, therefore, we're going to change  
9 the way we teach. We now teach the test, the  
10 PSSA, so that we can meet the performance  
11 standards of No Child Left Behind.

12           Now we're going to come back and go to  
13 the colleges and universities and say we want to  
14 change the way that you teach a well-rounded  
15 educator.

16           I can't see how any one of you in good  
17 conscience can sit here today and say that  
18 anything that I took or that any other educator  
19 took in college isn't necessary or applicable to  
20 their career as a teacher.

21           Whether you are a elementary education  
22 teacher or secondary education teacher, a math  
23 teacher or a science teacher, the fact that you  
24 took history or philosophy or psychology, that may  
25 not be directly related to the subject matter of

1 discipline that you were teaching.

2           Certainly makes you a better teacher.

3 You're far more well-rounded and can certainly

4 understand students that are in your classroom.

5 I take issue with that.

6           I think the crux of the problem here

7 isn't the way we're educating our educators and

8 certainly not the way we're educating the youth of

9 our society. I think it's false standards that

10 we're forced and obligated to meet so that we can

11 continue to, one thing, receive federal funding.

12           That's the problem, not the way we

13 educated our educators, not the way we teach our

14 kids. It's in order to obtain the goal so that we

15 can get money. I just think it's the golden ring

16 that we need to grab, and that's not necessarily

17 what our goal or objectives should be, while it

18 certainly is important that we have that funding

19 in place.

20           So I'm somewhat confused as to what

21 direction we're actually heading today or where

22 we're going to end up five years from now or ten

23 years from now.

24           You know, is it going to be Classrooms

25 Without Walls or Outcome-based Education or one of

1 these other, you know, education buzz words that  
2 we came up with somewhere in the past? And I  
3 think we should tread lightly in this direction.

4 Thank you, Mr. Chairman.

5 CHAIRPERSON ROEBUCK: To bring this to  
6 a conclusion, I will delete one of my questions,  
7 at least in the interest of time.

8 I want to go back to the effort to  
9 interject the ideas of preparation of teaching  
10 special ed, special needs students, and also  
11 English as a second language.

12 And we say that, for one, we will  
13 require nine credits to the other three. I'm  
14 wondering, what is too much and what is too little  
15 here? I'm not certain that anything in which you  
16 have one course gives you any such expertise at  
17 all.

18 It made me think that all those scores  
19 you just referred to in college I probably could  
20 have done without, it was designed to give me an  
21 introduction to a lot of things which really  
22 didn't do much of anything.

23 So how can you really hope that someone  
24 who takes three credits in teaching students who  
25 have English as a second language will have any

1 necessary greater skills than if they didn't take  
2 that course?

3 DR. FOGARTY: Well, we believe directly  
4 that three credits is better than having no  
5 training in working with English language  
6 learners.

7 English language learners go through  
8 certain phases when they are learning English and  
9 they go through certain statuses, and teachers  
10 need to understand what those are in order to be  
11 able to provide them with proper supports and good  
12 instruction.

13 And in general, we think that the  
14 survey that we did, we found many colleges offer  
15 no special education credits at all or nothing in  
16 special education. We think that's a mistake.

17 We think that the children are sitting  
18 there, they have their IEPs, they're expected to  
19 be taught in special ways, and the teachers are  
20 saying they don't belong in my classroom. That's  
21 what has to be understood here.

22 CHAIRPERSON ROEBUCK: That's an --

23 DR. FOGARTY: That's right.

24 CHAIRPERSON ROEBUCK: But the course  
25 itself's not going to change your attitude, is it?

1           MS. BRUMBAUGH: I believe if they have  
2 more of an understanding and feel more competent  
3 in being able to address the needs of that child  
4 it will change their attitude. Right now they  
5 don't have the training, and that's why they feel  
6 incompetent.

7           MR. BUCKHEIT: And please keep in mind  
8 that this package also includes that they'll  
9 receive additional training through induction,  
10 through moving from a Level 1 to a Level 2  
11 certificate, and at least six credits of their 24  
12 credits that they need to take need to address  
13 these issues, the school district professional  
14 education requirements need to address these  
15 issues, and Act 48 credits also needs to address  
16 these. So the three of the nine credits are just  
17 the starting point.

18           CHAIRPERSON ROEBUCK: It would be  
19 helpful if you break that out at least for me and  
20 other Members of the Committee as to what we're  
21 doing in terms of shifting the courses from one  
22 area to another so we could get an overall view of  
23 what we end up. That would be helpful to me.  
24 Thank you.

25           DR. FOGARTY: Thank you for the

1 opportunity.

2 MS. BRUMBAUGH: Thank you.

3 MR. BUCKHEIT: Thank you.

4 CHAIRPERSON ROEBUCK: I'd like to next  
5 call Dr. Clythera Hornung, President of the  
6 Pennsylvania Association of Colleges and Teacher  
7 Educators. Recognizing that we've fallen somewhat  
8 behind in the schedule.

9 DR. HORNUNG: Thank you, Chairman  
10 Roebuck and Chairman Stairs. I'm Dr. Clythera  
11 Hornung. I come to you with 30 years of  
12 experience in public schools and nearly ten years  
13 in higher education.

14 I would like to talk to you about the  
15 concerns that the members of the higher education  
16 community have about this regulation.

17 First let me talk a little bit about  
18 bit about PAC-TE, Pennsylvania Association of  
19 Colleges and Teacher Educators. We have about 500  
20 members and we represent 79 of the 95 teacher  
21 training institutions in Pennsylvania.

22 Pennsylvania is the sixth largest  
23 producer of teachers in the country and our  
24 teachers are highly sought after as being well  
25 prepared and well qualified.



1           We would like to commend the State  
2 Board of Education for their efforts in the  
3 adaptation and accommodations for our diverse  
4 learners. We want to make it perfectly clear that  
5 there are some aspects of 49-2 for which we are  
6 very much in favor.

7           We believe that entry-level teachers  
8 need to have more background in dealing with  
9 diversion learners in their classrooms. Those  
10 numbers are increasing all the time, and those  
11 students ought to be to the greatest extent  
12 possible in regular classrooms with their peers.

13           We have some concerns about the  
14 implementation of that and about how we're going  
15 to squeeze that in to the existing programs, but  
16 with the adaptations that the State Board has made  
17 to allow us to count hours as opposed to credits  
18 in courses.

19           We believe that we work with the  
20 Department of Education to implement that extra  
21 instruction so that it will be effective in  
22 classrooms across the state.

23           We are very concerned about what has  
24 been described by some as the bifurcation of  
25 teacher education; that is, splitting in two

1 parts. And we are concerned with that for a  
2 number of unintended consequences which we think  
3 will result if that regulation goes into effect.

4           First of all, it is going to narrow the  
5 scope of the preparation of teachers; secondly,  
6 it's going to have a lack of flexibility when it  
7 comes to assigning teachers within schools; and,  
8 third, it's going to impact very negatively on  
9 teacher portability.

10           There are certain content skills and  
11 dispositions that we believe that all teachers who  
12 teach in the K to 6 or preK to 6 grade levels need  
13 to have and need to understand. And we believe  
14 that that's a very important part of being a  
15 teacher for young children.

16           There's a consistent elementary  
17 curriculum, at least consistent as far as most of  
18 our schools are dealing with Pennsylvania academic  
19 standards, or all of them are; and so, therefore,  
20 we can count to some degree that there's  
21 consistent curriculum in this state.

22           However, we cannot expect that children  
23 come in one-size-fits-all. First graders learn at  
24 different rates. Third graders learn at different  
25 rates. We have students that are developmentally

1 delayed. We have students that are academically  
2 advanced.

3           Our concern is that if we prepare  
4 teachers with a much narrower focus, that they  
5 won't be prepared to deal with students that do  
6 not fit in the pigeonholes.

7           We want them to have a broad base. We  
8 want them to understand about child development,  
9 the age groups that span the elementary school.  
10 We want them to understand about the preadolescent  
11 as well as the early childhood.

12           We then believe that it would be very  
13 appropriate if they would have additional  
14 background or specialization in early childhood  
15 education or in middle level education. We're  
16 absolutely not opposed to more knowledge or  
17 understanding by any teacher in the specialization  
18 of various grade levels.

19           We simply believe that they need to  
20 have a broad base to begin with and then the  
21 specialization or the greater focus afterwards.

22           In Pennsylvania, there are 501 school  
23 districts. 76 percent of those school districts  
24 have less than 4,000 students. 381 of the 501  
25 school districts have 4,000 and fewer students.

1 42 percent of the school districts in the State of  
2 Pennsylvania have 2000 or fewer students.

3           We need to think about those.  
4 Representatives have spoken about school districts  
5 in rural areas. They are 76 percent of the school  
6 districts in Pennsylvania have less than 4,000  
7 students.

8           We need to be concerned about the  
9 portability issue. We heard some numbers about  
10 the number of teachers that Pennsylvania trains.  
11 The last five years, Pennsylvania has certified  
12 66,951 teachers. 66,951 teachers. 49 percent of  
13 those are elementary or early childhood certified  
14 teachers.

15           Yes, that's more than we need in  
16 Pennsylvania. I don't ever think that that is  
17 wasted. They make better taxpayers; they make  
18 better parents; they make better constituents in  
19 your representative areas. No education is ever  
20 wasted.

21           Many of those students leave and go up  
22 and down the East Coast of this country and man  
23 the schools up and down the east coast. They are  
24 welcomed with open arms and highly sought after,  
25 because Pennsylvania has such an excellent

1 reputation for preparing teachers.

2           They often go to those states up and  
3 down the East Coast, earn additional credits,  
4 certification, a master's degree and get  
5 experience. And then, guess what? They come back  
6 home. They come back to Pennsylvania and many of  
7 them join our schools as experienced educators.

8           The Department of Education has  
9 suggested that the certificates will be very  
10 valuable. Every state up and down the East Coast  
11 with the exception of Georgia has a K to 6  
12 certificate in addition to having an early  
13 childhood and a middle level.

14           The grade levels are somewhat different  
15 than what's being proposed in Pennsylvania, but  
16 they have a K to 6 in addition to those  
17 specializations.

18           We are the sixth largest producers of  
19 teachers in the country. Our teachers are mobile,  
20 they are recruited by others, and they will be  
21 less --

22           Time limitations make it impossible for  
23 me to talk about all the concerns. You have been  
24 provided with a document. I believe it's green  
25 and it's the frequently asked questions that was

1 put together some time ago by PAC-TE and talks  
2 about a lot of other issues.

3           Pennsylvania colleges strive to improve  
4 teacher education. We want to learn from others,  
5 and we would like to share with you some  
6 experiences of two other states that are large  
7 producers of teachers in this country.

8           Texas, the State of Texas in 1999 went  
9 to a teachers certification much like is being  
10 proposed here in Pennsylvania where they split  
11 into an early childhood and a middle level. Grade  
12 level's a little bit different, but they split the  
13 two certifications.

14           Their State Board of Education met  
15 within the last ten days, and they are returning  
16 to a certification like Pennsylvania has now  
17 because they cannot staff their schools.

18           We believe that there will be a high  
19 attraction to early childhood and that there will  
20 be a great number of people who will be interested  
21 in early childhood; there will not be such a great  
22 interest in the 4 to 8. And that's exactly what  
23 Texas has found.

24           They cannot staff their schools in 4 to  
25 8. And so their State Department was issuing

1 emergency certifications and they said, No more.  
2 We won't do this anymore. You have to adjust  
3 certifications.

4           State of Ohio, 1999, also adopted a  
5 certification structure similar to what  
6 Pennsylvania is proposing. Their middle level is  
7 4 to 9, not 4 to 8. Ohio, to the best of my  
8 knowledge, is not talking about going back; but  
9 they are experiencing the same problems about  
10 staffing.

11           They thought that the market would  
12 change, and it has not. They have too many early  
13 childhood and not enough teachers who are  
14 certified in middle level.

15           The colleges and universities of the  
16 State of Pennsylvania who prepare teachers are  
17 very vehemently and passionately concerned about  
18 preparing their teachers. We are not opposed to  
19 change, we are not opposed to modifications on our  
20 program, but we don't want to change or fix  
21 something that's not broken.

22           I welcome your questions.

23           CHAIRPERSON ROEBUCK: What I would ask  
24 is, in the interest of moving the agenda forward,  
25 if we could have the next three speakers make

1 their presentations and then collectively do  
2 questions and answers with them as a group, if  
3 that would be okay with the Members of the  
4 Committee.

5 I see no objections. Let me then -- if  
6 you would stay.

7 DR. HORNUNG: Just sit here?

8 CHAIRPERSON ROEBUCK: Then come back.  
9 I would like to then call Bob Feir, who will be  
10 speaking for the Pennsylvania Partnerships for  
11 Children.

12 MR. FEIR: Good afternoon,  
13 Representative Roebuck, Representative Stairs,  
14 Members of the House Education Committee.

15 My name is Bob Feir. I'm the Director  
16 of Education Initiatives for Pennsylvania  
17 Partnerships for Children. Joan Benso, who had  
18 hoped to be with you this afternoon, had a family  
19 emergency this morning and is in Philadelphia; and  
20 neither she nor I were able to figure out how to  
21 be in two places at one time.

22 You all obviously have mastered that,  
23 but most the rest of us have not. You have copies  
24 of this testimony. I believe in the interest of  
25 time I will not do anything like read it. I will



1 try to summarize some of the major points.

2           Let me address first and primarily the  
3 issue of what Dr. Hornung refers to as the  
4 bifurcation of the current elementary certificate.

5           Pennsylvania Partnerships for Children  
6 has for the past several years been urging policy  
7 changes along these lines and is very supportive  
8 of the Board's direction. And I want to be clear  
9 about that.

10           The developmental needs of our youngest  
11 learners -- and hopefully there will be more and  
12 more of them as the State continues to support  
13 preK education here in Pennsylvania -- are  
14 different from the developmental learning needs of  
15 older elementary school children.

16           And one of the problems of the preK to  
17 6 certificate that we have in Pennsylvania today  
18 is that it doesn't do as good a job as it might at  
19 either end of the continuum.

20           That is to say it doesn't do as good a  
21 job in terms of the preparation for early language  
22 and literacy acquisition for the youngest kids and  
23 it doesn't do as good a job as it might in terms  
24 of the needs of early adolescents who are  
25 beginning to try to establish themselves as

1 independent learners and beginning to grasp more  
2 difficult subject matter.

3           And so at two ends of the continuum we  
4 have problems. We have kids who enter 1st and 2nd  
5 and 3rd grades who are behind and having trouble  
6 catching up.

7           These are kids who by the time they get  
8 to 6th grade, where they are asked to master some  
9 serious subject matter content, are lacking in  
10 some of the literacy skills that will allow them  
11 to do that.

12           And what we know from research is that  
13 the kids who don't graduate from high school are  
14 the kids who for the most part in some recent  
15 research, 70 or 80 percent of the kids who don't  
16 finish high school are kids who either failed  
17 reading in 6th grade, failed math in 6th grade, or  
18 stopped going to school on a regular basis in 6th  
19 grade.

20           So we actually think that narrowing the  
21 scope of the certificate so that a teacher of kids  
22 from preK to 3rd grade really gets how you teach  
23 kids of that age.

24           And narrowing the scope of the  
25 certificate for people who will teach 4th to 8th

1 graders so that they really get how to address the  
2 developmental needs of early adolescents and they  
3 themselves have begun to develop some subject  
4 matter expertise will be very useful for kids  
5 across that spectrum.

6           We also have a marketplace problem.  
7 And it is conceivable that these new regulations  
8 will create a new marketplace problem. And I  
9 think that's one of the issues that you all were  
10 discussing with the folks from the Department of  
11 the State Board earlier.

12           The marketplace problem today is that  
13 very few school districts want to hire teachers  
14 with early childhood certificates because they can  
15 only teach in three grades other than the one that  
16 they are hired to teach, so that the flexibility's  
17 very limited.

18           They could -- school districts could  
19 hire someone with an elementary certificate who  
20 can teach in six other grades. So it's not like  
21 rocket science to figure out whose gonna get hired  
22 for these jobs.

23           And this has been a problem for early  
24 childhood programs in the colleges and  
25 universities because the market's not there for

1 their graduates and it's a problem for the young  
2 kids in the state because they're not getting  
3 taught by folks in those programs.

4           So the question is, Will we create a  
5 different kind of problem, as Dr. Hornung  
6 suggests, in which we won't have enough folks in  
7 the 4th to 8th grade -- to teach 4th to 8th  
8 grades?

9           I think the answer is we don't really  
10 know the answer to that. We do know what we have  
11 now. We don't know for sure what the future will  
12 hold.

13           What we do know is that the  
14 Pennsylvania Partnerships for Children and others  
15 were very supportive of the State Board's  
16 inclusion in 49-2 of a provision that allows the  
17 Secretary to waive certification requirements that  
18 result in shortages either in individual cases or  
19 on a statewide basis. Then we trust that that  
20 power will be used appropriately and judiciously.

21           We also were supportive of delaying the  
22 starting date of these regs from 2010 to 2012 to  
23 provide some additional time. And, you know, as  
24 John Fogarty mentioned to you earlier, it may be  
25 that delaying it a little bit longer makes some

1 sense.

2           I don't know that there's anything else  
3 I need to say to you other than just to say that  
4 while our primary concern at Pennsylvania  
5 Partnerships for Children is the bifurcation of  
6 the current elementary ed certificate, we do  
7 believe that there is a real issue in terms of the  
8 growing diversity of the students who are faced by  
9 every new teacher and every veteran teacher.

10           Veteran teachers have the advantage of  
11 having faced a more diverse student body for more  
12 than one day on a teacher's first day of school.

13           And we are supportive of the Board's  
14 efforts to insist that both new teachers and  
15 continuing teachers throughout their careers have  
16 the kind of preparation in teaching this diverse  
17 student body so that, in fact, the schools are  
18 responsive to the needs of all the children of the  
19 Commonwealth.

20           Thank you very much.

21           CHAIRPERSON ROEBUCK: Thank you. Thank  
22 you very much.

23           I'm now going to call Grace Bekaert  
24 from the Pennsylvania State Education Association  
25 and ask if she might make her presentation.

1 MS. BEKAERT: Thank you. And one of  
2 the assessments classroom teachers use is  
3 observation. And I've observed that you all seem  
4 to have a very good handle on the contents of the  
5 proposed changes; so I'm going to, as the two  
6 previous speakers, cut through a lot of my remarks  
7 and just get to the part where the -- how our  
8 organization feels about the proposed changes.

9 So good afternoon. I am Grace Bekaert.  
10 I'm a middle school gifted support teacher from  
11 the Coatesville Area School District in Chester  
12 County. I'm currently on leave while I serve my  
13 elected term as the state treasurer of the  
14 Pennsylvania State Education Association.

15 And on behalf of our 180,000 members, I  
16 thank you for this hearing today and for inviting  
17 us to be present.

18 As I mentioned, I'm going to highlight  
19 the issues that we believe will have the most  
20 impact on our members. And we'll be happy to take  
21 any questions that you have.

22 It's been noted, but I'd like to say it  
23 one more time, as I'm sure you all know, children  
24 go through a wide-ranging series of developmental  
25 stages as they grow from age 3 to age 14. And so,

1 therefore, the teaching methods that must be  
2 employed to reach them and teach them as they grow  
3 through these stages are just as different.

4           An obvious example is that a 8th grade  
5 teacher can spend some time lecturing students,  
6 but good luck trying to get kindergartners to sit  
7 still for any kind of activity.

8           And those middle school years aren't  
9 years of straight lecture either. Teaching 6th,  
10 7th, 8th graders is not for the faint of heart.  
11 And the better prepared we are, the more effective  
12 we will be.

13           So we believe that we can help our  
14 middle level teachers to better educate our  
15 students by providing more concentrated  
16 preparation and teaching methods for those years  
17 and the developmental stages.

18           But with any new rule, there is always  
19 a fear and a chanc that there will be negative,  
20 unintended consequences. And one of the  
21 possibilities here is that school districts, as  
22 we've heard, could face difficulties locating  
23 teachers with the proper certifications to meet  
24 the district needs.

25           But we believe that the State Board has

1 inserted a safety valve into the regulations that  
2 should minimize this potential problem.

3           One is that school districts will be  
4 able to submit requests to the Secretary of  
5 Education for exceptions to the grade and age  
6 level limits and that there would be time limits  
7 on this exception so it would not become  
8 permanent.

9           Another way in which the State Board  
10 addressed this concern is to specifically require  
11 the Department to develop standards for  
12 accelerated programs through which teachers who  
13 are certified in one of the levels will be able to  
14 obtain the training needed to earn the other level  
15 certificate.

16           So a teacher would not have to go back  
17 to school for four years to add the other  
18 certificate. They could attain the specific  
19 training they need through an accelerated program  
20 and be able to move back and forth between the two  
21 levels.

22           You see I'm flipping through a lot of  
23 pages here.

24           The second major change is in the area  
25 of special education certification. The laudable



1 goal of this set of changes is to give special  
2 education teachers broader preparation.

3           However, special education is already  
4 one of the most challenging fields that an  
5 educator can choose. And while it can be  
6 incredibly rewarding, it can also be incredibly  
7 draining both personally and professionally.

8           Our special education teachers have a  
9 special kind of patience and dedication, and they  
10 have consistently expressed to PSEA that their  
11 patience is wearing thin with the increasing  
12 regulatory and paperwork burdens that seem to have  
13 little or no impact on the students' special  
14 program.

15           Nonetheless, PSEA's Special Education  
16 Board made up of practicing special education  
17 teachers agreed to support these new certification  
18 requirements. So PSEA is supporting this change  
19 as well.

20           Now, one possible unintended  
21 consequence that hasn't been touched on yet today  
22 of the special education certificate changes would  
23 be a shortage of special ed teachers.

24           This risk is particularly high at the  
25 secondary level where a special education

1 teacher's second certificate in a content area  
2 would qualify him or her to transfer to a regular  
3 education position in that content area.

4           Now, the State Board and the Department  
5 have addressed this concern as well. Again,  
6 school districts may request individual exceptions  
7 from the Secretary of Education just as they can  
8 for the new regular education certifications  
9 requirements.

10           And second, if a statewide shortage of  
11 certified personnel develops, then the Secretary  
12 is empowered to grant statewide exceptions for up  
13 to three years.

14           So this would give the Department and  
15 the State Board three years to work on the  
16 regulations and, if changes are needed, to deal  
17 with the shortage. We believe this shows a  
18 flexibility on the Board's part and a willingness  
19 to reconsider if an unintended consequence does  
20 develop.

21           The third major change in the  
22 regulations results to the trend of our -- in  
23 growing inclusion of special needs student and the  
24 students of limited English proficiency in regular  
25 education classes.

1           And this is mainly as a result of court  
2 decisions and settlements, and we believe they  
3 will continue to grow. As our classrooms change,  
4 teacher preparation programs also need to change.  
5 We must be willing as educators to change our  
6 preparation to serve the children we are teaching  
7 today and will be teaching tomorrow.

8           And with that, I will end my comments  
9 and thank you one more time for allowing us to be  
10 here.

11           CHAIRPERSON ROEBUCK: Thank you very  
12 much. I'm going to now ask that we go to  
13 questions, beginning with Representative Fleck.

14           Any questions?

15           REPRESENTATIVE FLECK: (No audible  
16 response.)

17           Representative Stairs.

18           REPRESENTATIVE STAIRS: Yes. Thank  
19 you. The first panel we talked pretty much about  
20 the elementary certificate, the early childhood  
21 and the middle elementary.

22           But Grace brought up a good point on  
23 the special ed teachers. And maybe I can ask  
24 Dr. Hornung, right now if you're a special ed  
25 teacher, you're the whole gamut. You can go from

1 the elementary to the senior high.

2           Now, which is going to be with your  
3 preparation of teachers when you have to specify  
4 three different classifications of special ed  
5 teachers?

6           DR. HORNING: Colleges and universities  
7 have great concern about especially the secondary  
8 special ed. Many of the colleges and universities  
9 have rules as far as their institution, that they  
10 may not develop programs for which they do not  
11 have a clientele.

12           And we believe that it will be very  
13 unattractive to enroll in a program that requires  
14 you to have a content certification and a special  
15 ed. It could be in the neighborhood of 150 and or  
16 160 credits in order to earn that certification.  
17 We're very concerned that if programs do exist,  
18 that students won't enroll in it.

19           And a second concern relative to  
20 special education is the overall shortage of  
21 individuals across this country who have doctoral  
22 degrees in special education. And that applies to  
23 what we're going to be doing in general.

24           So there probably is going to be a very  
25 serious problem about secondary special ed, and

1 it's already a certification that's in short  
2 supply.

3           REPRESENTATIVE STAIRS: Yes, I could  
4 say that I know now that there's -- in certain  
5 cases there's a problem but things will make it  
6 much more severe. And, you know, unintended  
7 consequences was raised a couple times today.

8           But certainly you -- and to enhance  
9 special education, to enhance diverse learners,  
10 you're going to probably hinder them then by --

11           DR. HORNUNG: Obviously --

12           REPRESENTATIVE STAIRS: -- selection of  
13 teachers available.

14           DR. HORNUNG: Obviously, the goal is to  
15 have as many of these children in regular  
16 classrooms with their peers and so forth. And  
17 that's why we're working so hard to prepare all  
18 teachers to deal with diverse learners.

19           But there is a group of students who  
20 need to have special education teachers either in  
21 a self-contained classroom or a resource room.  
22 And that's going to be a problem, especially with  
23 the upper grade levels.

24           There's not going to be any interest in  
25 enrolling in that kind of a program because of the

1 number of credits that will be required. And  
2 don't know what the answer to that is. I mean, I  
3 don't know how to fix it.

4 REPRESENTATIVE STAIRS: Okay. Thank  
5 you.

6 CHAIRPERSON ROEBUCK: Other questions?  
7 Representative O'Neill.

8 REPRESENTATIVE O'NEILL: Thank you very  
9 much.

10 I tend to agree with what you're  
11 saying -- I'm sorry.

12 MS. BEKAERT: Grace.

13 REPRESENTATIVE O'NEILL: -- Grace,  
14 about special education teachers and the PSEA  
15 agreeing with what is going on here, because I  
16 always found that one of the problems on a  
17 secondary level is that the administrators and the  
18 school districts are hiring teachers who were  
19 trained to teach elementary kids and then they  
20 walk in the school and they realize that, you  
21 know, using some kind of curriculum or behavior  
22 methods or something for, you know, a 2nd grader  
23 doesn't work with a 15-year-old who has a severe  
24 behavior problem or something.

25 And so I laud that. But I guess my

1 problem -- and this is all being driven by No  
2 Child Left Behind -- is the extra content area  
3 where you have to -- whether it's math, English,  
4 whatever.

5           I can tell you now that you're going to  
6 have a shortage of special education teachers. I  
7 know that at one of my local high schools there's  
8 13 special ed teachers. Five of 'em in the last  
9 two years have transferred to content area. And  
10 all one of those five had 15 or more years of  
11 experience as a special ed teacher.

12           Because why go through the paperwork or  
13 nonsense, yadda, yadda, yadda. And they feel like  
14 they went to heaven to teach. And they've told me  
15 that directly.

16           You know, I spent 27 years in a special  
17 ed classroom. If I continued to teach the course  
18 that I was teaching, I would have had to get  
19 certified in three special content areas. So why  
20 would anybody -- and I agree with you. Why would  
21 anybody go to school, as you said, to do that?

22           And I know it's not the Department of  
23 Education's fault because it's being driven by No  
24 Child Left Behind.

25           My question is -- you stated that the

1 Secretary would have certain powers if there is a  
2 shortage of teachers in the state and special  
3 education because of this.

4           Wouldn't the Secretary of Education in  
5 enacting some of these powers be in direct  
6 violation of federal law and therefore wouldn't be  
7 allowed to do it because No Child Left Behind says  
8 that you have to have this other content area if  
9 you're a special ed teacher?

10           MS. BEKAERT: I'm not sure about the  
11 violation, but I would believe that we would  
12 probably have to revisit the bridge issue where we  
13 could -- as you are probably aware, right now we  
14 have special education teachers who have had to go  
15 through additional coursework -- and we called it  
16 getting on the bridge -- giving them a certain set  
17 of -- certain time line to get those additional  
18 qualifications to become highly qualified.

19           If we do not make the changes here to  
20 certification, we would have to come up with  
21 another system to allow existing teachers and any  
22 newly-certified teachers to have what they need to  
23 become highly qualified under No Child Left  
24 Behind.

25           Of course, the other thing is to change



1 No Child Left Behind so that those onerous  
2 provisions are no longer part of it and we don't  
3 have to worry about it.

4 REPRESENTATIVE O'NEILL: I was actually  
5 going ask that question --

6 MS. BEKAERT: And we are working on  
7 that.

8 REPRESENTATIVE O'NEILL: No Child Left  
9 Behind, which is being reappropriated --

10 MS. BEKAERR: It is being --

11 REPRESENTATIVE O'NEILL: -- some of  
12 these Chapter 49 regulation's going to be changed  
13 that they're proposing.

14 Any my other one question, and you  
15 may -- and it's for Dr. Hornung. You may not have  
16 the answer to this. The answer may not exist.  
17 But, first of all, who does your association  
18 represent? Is it all the public school  
19 universities or --

20 DR. HORNUNG: No. No. No. We  
21 represent 79 of the 95 teacher training  
22 institutions in Pennsylvania. We represent  
23 state-supported, state-related, and private.

24 REPRESENTATIVE O'NEILL: Okay, and  
25 private. Okay. Now, do you know how many of your

1 professors who are teaching people to be teachers  
2 are actually certified teachers in Pennsylvania,  
3 have some sort of certification as a teacher?

4 DR. HORNUNG: No, I don't know that.

5 But it's not -- you are aware it's not required?

6 REPRESENTATIVE O'NEILL: Exactly. And  
7 then --

8 DR. HORNUNG: I am.

9 REPRESENTATIVE O'NEILL: Good for you.

10 I guess my other question would be as a  
11 follow up to that, do you have any idea of a  
12 percentage of your professors who have a real  
13 practical public school classroom experience? I  
14 mean, afterall, they are teaching the people to be  
15 teachers.

16 I mean, would you want to go to school  
17 and take a course in engineering from someone who  
18 never spent a day in his life in the field of  
19 engineering?

20 DR. HORNUNG: Well, I think that's the  
21 greatest thing I brought to higher education. My  
22 students would say to me, Dr. Hornung, do you have  
23 a story about everything? And, yes, I often did  
24 have a story about everything because I spent 30  
25 years in public schools.

1           I don't know what the percentage is. I  
2 know when I agreed to add to the chronicle and  
3 when I participated in search committees at the  
4 university level that was always a requirement,  
5 you know, previous experience, you know, in public  
6 schools.

7           How many people have that and are we  
8 trying to get more? Yes. How many have it? I  
9 don't know. I don't know even know if that data's  
10 available.

11           REPRESENTATIVE O'NEILL: My question to  
12 you, Would you be willing, your organization, to  
13 see if you could collate that data, how many  
14 actually are certified, how many actually have  
15 real -- I mean, just because you're certified  
16 doesn't mean you ever taught in a classroom. So  
17 how many of 'em actually have practical --

18           DR. HORNUNG: I think that issue came  
19 up relative to Act 48. There was not a vehicle  
20 for college and university people to earn Act 48  
21 credits in order to keep their certificate, at  
22 least not the usual vehicle.

23           They were teaching courses that  
24 teachers were earning Act 48 credits for and yet  
25 they weren't able to earn that. We can look in to

1 see how many are certified and how many have  
2 experience in public schools. All right.

3 REPRESENTATIVE O'NEILL: I would  
4 appreciate that. Thank you.

5 CHAIRPERSON ROEBUCK: I believe  
6 Representative Curry has a question.

7 REPRESENTATIVE CURRY: Mr. Feir, you  
8 mentioned there was research that explained why  
9 students didn't graduate and had trouble as early  
10 as 6th grade. Would you share that research with  
11 us, please?

12 MR. FEIR: Absolutely. It's a recent  
13 research out of Johns Hopkins and it was done in  
14 Philadelphia and they've replicated it in a couple  
15 of other places around the country. I'd be happy  
16 to share that with you.

17 REPRESENTATIVE CURRY: All right.

18 CHAIRPERSON ROEBUCK: Thank you. I  
19 don't believe there are any other questions from  
20 the Members. Thank you very much for your  
21 presentations.

22 I'd like to now call Stinson Stroup.  
23 And I believe you have a group of folks with you.  
24 You'll introduce them as you do your presentation.

25 MR. STROUP: Thank you, Mr. Chair. I'm

1 Stinson Stroup, Executive Director of Pennsylvania  
2 Association of School Administrators; and I am  
3 here with two of our members who are school  
4 administrators.

5           The first is John Gould, who is  
6 Director of Strategic Initiatives to the  
7 Northwestern Lehigh School District; and the  
8 second is Dr. Bill Clark, who is the  
9 Superintendent of the Milton Area School District.

10           Both have been engaged in these issues  
11 since the State Board took the Chapter 49 before  
12 it. They have served on different committees of  
13 the Association that have looked at the  
14 regulations and they were involved in establishing  
15 the Association position which you have in front  
16 of you as part of the written testimony.

17           Let me just identify the four issues  
18 that you've already heard some about, and they  
19 are -- they all relate to the separation of the  
20 current certificate from a K-6 certificate to a  
21 preK-3 certificate and a 4-8 certificate.

22           We oppose this division because it  
23 narrows the preparation of elementary certificate  
24 holders at a time when teachers are expected to  
25 work with a broader range of performance in their

1 classes. This is our primary concern about the  
2 proposed change.

3           The second concern is that it will lead  
4 to departmentalization of the disciplines at lower  
5 grades, and we think this is a bad way to organize  
6 schools; that it will result in less flexibility  
7 to staff elementary schools; and as you've most  
8 recently heard, that it will lead to shortages in  
9 the upper elementary grades and particularly in  
10 special education.

11           We're here to respond to your  
12 questions, and I am sure that the administrators  
13 here will be happy to rely upon their experience  
14 with the current regulations and their projections  
15 of the impact of the new regulations on their  
16 organizations.

17           CHAIRPERSON ROEBUCK: Questions?

18           (No audible response.)

19           MR. STROUP: It's been a long  
20 afternoon, so we're happy to --

21           REPRESENTATIVE ROHRER: Mr. Chairman,  
22 on this side over here. I feel bad that you guys  
23 don't have any questions, so I'll ask one.

24           In light of the discussion that we've  
25 been having and I think it's clear -- I mean, you

1 stated what the concern is.

2           Is there a recommendation that you  
3 would make to what is being presented that would  
4 make it acceptable and do you have, from your  
5 perspective and your recommendations, that that,  
6 in fact, would address the problems that you see  
7 that are there?

8           DR. GOULD: If you look at the  
9 testimony that we prepared, our major concern, as  
10 we said, is not with increasing the quality of the  
11 teaching process. We think that is critical. It  
12 is very important.

13           But from a practical implementation  
14 point of view, our concern is that, when I was a  
15 superintendent of the school district, that many  
16 times having that flexibility, particularly with  
17 the K-6, allowed me to staff based upon the  
18 quality of teaching that was taking place within  
19 the district.

20           The other concern particularly that I  
21 have, as you look at this process, particularly  
22 with the implementation and fuller implementation  
23 in the year 2012, I think a major issue is we're  
24 really not sure what the teaching environment's  
25 gonna look like then.

1           And the reason I say that is because it  
2 is rapidly changing because of initiatives,  
3 particularly with the technology that is out  
4 there.

5           I think with a lot of the initiatives  
6 that the Governor is moving forward; for example,  
7 my district is a Classrooms of the Future, and  
8 that is demanding a different way of thinking  
9 about the teaching process, even though it is  
10 focused on the secondary level.

11           In our statement we said one of the  
12 concerns we have is that you -- there's a  
13 statement in there, we have "structure shades  
14 behavior of people over time," is that the  
15 elementary level, if there's not a congruency K-12  
16 and that these kids are living in this digital age  
17 and in a virtual age and they are going to have to  
18 learn to compete in a global economy, by just  
19 focusing at the secondary level, that really  
20 doesn't deal with the true issue of what our  
21 students are looking at.

22           So the need to have elementary teachers  
23 having the broadest possible understanding of the  
24 learning environment, increasing their ability to  
25 work in that emerging world of what a student is



1 experiencing today, because it's different than  
2 the world in which we all grew up in.

3           And that's the dilemma I think that  
4 we're faced with. So what I'm saying to you is  
5 that our concern is that if a regulation narrows,  
6 even though the intent is to focus on those areas,  
7 my concern would be is we need to broaden the  
8 experience base of teachers across-the-board with  
9 the emerging need of this different type of  
10 student that we're moving into.

11           So literacy is an extremely important  
12 component to understand. A teacher in a  
13 classroom, when you begin to look at what we're  
14 attempting to do with technology even in my  
15 district, is to go more cross-disciplinary. We're  
16 getting people to go across grade level.

17           That if you have certain types of  
18 regulations, that a lot of times that can stifle  
19 that, that creativity, because we're going to need  
20 it. We're focusing in on that.

21           And that's why I'm saying, you know, if  
22 you ask me how I look at this, the intent is good.  
23 What my concern is some of the implementation  
24 components of breaking that certificate might  
25 narrow our ability to do reform efforts, but also

1 the staffing issues that were brought out within  
2 our district.

3           The last couple of years our enrollment  
4 has decreased. Now we are on a upswing with the  
5 current certification requirements as is. I was  
6 able to take a teacher -- it was one of my smaller  
7 elementary buildings -- that had received the Blue  
8 Ribbon Award.

9           He was able to follow that class  
10 through, all the way through 6th grade and stay  
11 with those students in a looping time concept the  
12 certification allowed me to do. And the  
13 certification still -- PSSA helped with  
14 the PSSA scores.

15           Another individual in the district with  
16 respect to a special ed certification, paperwork  
17 was getting to her, a individual that was teaching  
18 at the elementary level in kindergarten. And she  
19 decided to enroll in that position because of her  
20 certification allowed her to do that.

21           That really has saved a lot of kids by  
22 having that flexibility to have somebody with that  
23 specialization at the primary level. To help  
24 identify kids on an earlier level with that  
25 expertise has been very, very helpful.

1           So with the certification as it is  
2 currently, we'd like to see it stay the -- Russian  
3 and Hispanic is a large portion of my students and  
4 it's been growing.

5           In the last several years, I would  
6 say -- I'm not looking at hours. I'm looking at  
7 the individuals coming in understanding  
8 multi-cultural issues, because as they come in the  
9 communities, the students from Hispanic and  
10 Russian areas and ethnicities are beginning to  
11 assimilate.

12           So they have part of the Americanism,  
13 but then they still have some of their family  
14 history. And I think students coming into the  
15 system need to know that. And if they do know  
16 that, that would be helpful.

17           It would be more important for me if I  
18 had somebody coming in that was bilingual and  
19 could speak to the students in both tongues as  
20 opposed to understanding just the backgrounds of  
21 the ELL.

22           I want to go back to some of the  
23 questions earlier regarding the elementary  
24 certifications. I had three positions last year.  
25 We're a small school: 2300 kids, 197 staff, and

1 about 52 percent average -- lunch count. And we  
2 had a hundred and fifty applications for those  
3 positions. So we did see a lot of 'em coming in.

4           What I did with the early childhood  
5 certifications, if I wasn't looking for that,  
6 those went to the bottom of the pile as we scored  
7 them, because I needed to have that flexibility  
8 knowing down the road potentially that my  
9 enrollment could decrease, that I may have to  
10 shuffle that person to a different level.

11           Going back to Dr. Hornung's position, I  
12 think if we see what's happening in Texas and  
13 potentially in Ohio, that could also happen to the  
14 school district.

15           Because Act 1, currently being imposed  
16 upon us, flexibilities in certification is forcing  
17 me this year to move a lot of teachers around on  
18 different areas where their certifications lie.

19           They may not be happy about being  
20 moved, but they needed to do it in the best  
21 interest of the district.

22           REPRESENTATIVE ROHRER: Thank you. I  
23 think that was helpful to the get practical aspect  
24 on that. One just -- just a quick answer on this:  
25 You talked about the fear of the

1 departmentalization of the disciplines.

2           Other than the flexibility aspect of it  
3 that I would see, is there another reason why that  
4 is a significant fear?

5           MR. STROUP: I think Dr. Gould alluded  
6 to that, and that is increasingly teachers want to  
7 explore a content area beyond the narrow  
8 discipline from which they may have a certificate.

9           And if we create a requirement that  
10 middle school teachers have a concentration in the  
11 area and then limit them to teaching only in that  
12 area, it's going to really frustrate the ability  
13 to take a global topic and look at all of the  
14 pieces and the different disciplines that that  
15 impacts.

16           DR. GOULD: Yeah, also, it's kind of  
17 interesting. Yesterday I was listening to MPR.  
18 And there is a project down in Nashville,  
19 Tennessee.

20           And this project was taking 2nd grade  
21 students to write lyrics for songs that was being  
22 produced by some of our major singers in this  
23 country, particularly in the country persuasion.

24           But what I found very interesting was  
25 the statement was made by, I think it's Paul

1 Reisner who is the individual who is heading up  
2 this project, made an interesting observation  
3 about 2nd grade students:

4           That they make better songwriters than  
5 secondary kids because 2nd grade students think  
6 metaphorically. They don't think in the logical,  
7 rational way that a high school student thinks.

8           And that one of the concerns around the  
9 departmentalizing knowledge at an early age tries  
10 to force kids who think differently from the  
11 cognitive point of view. And so therefore, we  
12 have to be careful -- remember I said structure  
13 shades behavior in people over time?

14           My contention is that when you look at  
15 the test scores and the results where students  
16 from middle school and into high school, those  
17 scores are dropping nationally. And I think one  
18 of the concerns is it hits to that fact that those  
19 kids live in a different world than which we look  
20 at.

21           We need to look at the cognitive  
22 research. What is it saying about the structure  
23 of learning? How do we understand these students?  
24 That to me I think is a much bigger issue that we  
25 have to look at instead of some of these things

1 that are coming down.

2           And they're driven because the  
3 political reasons, whether it's No Child Left  
4 Behind or whatever you have.

5           REPRESENTATIVE ROHRER: Thanks for your  
6 help. I appreciate that very much. I think  
7 that -- I think the kind of thing we're talking  
8 about here ring very, very true and real and are  
9 really valid. Thank you for that.

10           CHAIRPERSON ROEBUCK: Thank you. Thank  
11 you very much. I don't think there are any  
12 further questions for the panel.

13           MR. STROUP: Thank you, Mr. Chairman.

14           CHAIRPERSON ROEBUCK: We're going to  
15 then begin to call our final group of presenters.  
16 And we'll begin with Tim Allwein from the  
17 Pennsylvania School Board Association.

18           MR. ALLWEIN: Good afternoon. Chairman  
19 Roebuck, Chairman Stairs, and other Members of the  
20 Committee, I certainly thank you for this  
21 opportunity to speak about these important  
22 regulations.

23           Again, in the consideration of time,  
24 I'll be very brief and just try and highlight some  
25 of the concerns that we have.

1           One thing that I think everybody that  
2 went before me talked about was this issue of  
3 strengthening teacher preparation and induction  
4 programs by including training and activities,  
5 focusing on students with disabilities and English  
6 language learners. And we certainly support that  
7 effort as well.

8           We all know that the provisions of the  
9 federal IDEA law and, in our state, the recent  
10 Gaskin (phonetic) settlement probably will serve  
11 to increase the number of students with  
12 disabilities that are in the regular setting.

13           We are a little bit concerned, however,  
14 with the proposed language that would implement  
15 that requirement. The language -- and it's in  
16 section 49.17(a)7.

17           The specific language requires school  
18 districts to, quote, ensure that all professional  
19 employees participate in continuing education  
20 focused on educating students with disabilities  
21 and English language learners in inclusive  
22 settings, unquote.

23           As I said, we don't oppose the  
24 requirement for that kind of knowledge, that kind  
25 of professional development; but our problem is



1 with the word "ensure" because it seems to be  
2 putting another responsibility on the school  
3 districts.

4           And we think that that kind of language  
5 goes a little bit beyond the scope of Act 48,  
6 which, as you know, requires teachers to get  
7 through certain levels of professional development  
8 in their areas of certificate or assignment but it  
9 places, properly we think, places upon the  
10 professional employee the responsibility of  
11 actually making sure that they get the credits and  
12 making sure that the credits that they choose are  
13 the proper ones.

14           So rather than saying that the school  
15 districts have a responsibility to ensure that  
16 that happens, we think that the responsibility of  
17 the school districts should be to make sure that  
18 they are offering opportunities for their  
19 employees to get that kind of professional  
20 development for children with disabilities and  
21 English language learners. That is, we think, the  
22 proper role for the school district.

23           And I would just point out that in our  
24 comments, that the Independent Regulatory Review  
25 Commission had also picked up on that and

1 essentially had many of the same concerns as we  
2 did on that issue.

3           The other issue that I wanted to talk  
4 about was one, again, and is the crux of these  
5 proposed regulations, in 49.85 about the scope of  
6 instructional certificates. And I think that the  
7 previous panel of superintendents really talked  
8 about our concerns as well.

9           We are concerned that there's no  
10 overlap at the elementary level in the proposed  
11 areas of certification. We think that the changes  
12 will greatly affect staffing decisions made by  
13 school administrators and could have a great  
14 impact on the configurations of many of the  
15 elementary schools that are out there.

16           And as Stinson and a number of other  
17 commentators before him questioned, we would also  
18 question why we would want to limit the scope of  
19 certificates at the very time where we are all  
20 expecting teachers to have academically a wider  
21 range of students in their classroom.

22           We also share the concern that previous  
23 speakers have talked about, that this could be a  
24 particular problem in rural school districts. We  
25 know now that a lot of them are experiencing

1 staffing certifications for many reasons, but we  
2 think this lack of overlap is going to affect them  
3 as well.

4           We certainly do appreciate the State  
5 Board's attempt to address the problem, and I  
6 believe the commentator from PSU talked about that  
7 and we think that they have tried to be flexible.

8           And certainly that's -- that's a key  
9 for us to be supportive of any proposal of this  
10 nature is that there has to be an adequate level  
11 of flexibility so that school administrators can  
12 deal with problems that they might experience.

13           We have great population bubbles, for  
14 example, that might be moving through an  
15 elementary school or emergency or temporary  
16 staffing vacancies, which happen every year in  
17 hundreds of schools around the state.

18           And as a practical matter,  
19 administrators have to have the ability to  
20 reassign staff quickly and efficiently. But as  
21 these students move through grades, those  
22 population bubbles can continue to affect the  
23 schools for a number of years.

24           Besides that, we have teachers that  
25 take medical, parental, sabbatical leaves of

1 absences. And these also cause vacancies for  
2 weeks or months or semesters. So these are all  
3 reasons why there has to be an adequate level of  
4 flexibility.

5           The language that is in section 49.84  
6 demonstrates that the Secretary will issue  
7 guidelines that outline circumstances under which  
8 exceptions will be granted.

9           And, again, we think that's a start.  
10 We think the language is a little bit too vague  
11 and leads to a number of different questions. For  
12 example, What would be considered a justifiable  
13 reason to seek an exception?

14           What criteria will the Secretary use  
15 rather than granting an exception? What time  
16 limits will there be? And the language does say  
17 that there will be time limits, and we think there  
18 should be.

19           Will the guidelines be written broadly  
20 enough so that administrators can make staffing  
21 decisions efficiently, or will they create  
22 barriers? And how will the Secretary handle  
23 numerous requests in a timely manner and how soon  
24 will the -- how long will the Secretary have to  
25 respond to such a request?

1           And, again, I would point out that here  
2 too ERG (phonetic) has also questioned this  
3 provision as well as other instances in this  
4 proposal where the Secretary would be able to  
5 impose new requirements at his discretion without  
6 the opportunity for comment or review through the  
7 regulatory review process.

8           In final, we would say that we do  
9 commend the State Board for its efforts to raise  
10 the quality of teacher preparation programs; but,  
11 again, the key is flexibility.

12           We certainly don't want to have  
13 anything that will result in less flexibility for  
14 our administrators to staff elementary schools.  
15 And we're also concerned with the potential  
16 effects that the dual certifications for special  
17 education teachers will have on those teachers.

18           And I would just add in closing that  
19 the Special Education Advisory Panel, which I  
20 believe was appointed by the Governor, recently  
21 sent a strong letter to the State Board opposing  
22 this set of regulations for that reason.

23           So with that, I'll stop and we can hear  
24 from the other panelists.

25           CHAIRPERSON ROEBUCK: Thank you very

1 much. I would note that a copy of the ERG  
2 comments are in the folders that all the Committee  
3 members received.

4           We call now Dr. Jacqueline Edmondson  
5 from Penn State University.

6           DR. EDMONDSON: The comments that I've  
7 given to you are not the focus of my talk this  
8 afternoon, but they're from our special education  
9 faculty who has been very much in support of the  
10 additional credits for practicing -- for teachers  
11 in the adaptations and accommodations in English  
12 language learning areas, but have concerns about  
13 shortages for secondary special education teachers  
14 that may result from this set of regulations and  
15 also about the quality of special education  
16 programs in the State of Pennsylvania.

17           But I'd like to focus my comments this  
18 afternoon on concerns that I have as a parent, as  
19 an educator, and as a researcher that result from  
20 the legislation that -- or the regulations that  
21 are being proposed.

22           As a parent, I encourage you to be  
23 careful not to sacrifice the educational needs of  
24 preteen children. As an educator, I question  
25 market-driven changes that would boost the

1 opportunities for one class of teachers while they  
2 made those for others.

3           And as a researcher, I fear educational  
4 reforms that are not based on solid evidence that  
5 such changes are necessary or that these proposed  
6 changes would bring expected improvements.

7           In my written comments to you, I told  
8 the story of my son who when in 4th grade had a  
9 wonderful teacher name David Rockauer (phonetic).  
10 Mr. Rockauer was unprepared as a K-6 teacher and  
11 he had Luke for all subject areas in his class.

12           My son Luke loves to read. He loved  
13 books by Pause and Dell (phonetic). He do not  
14 like math. And so Mr. Rockauer was a teacher who  
15 was able to prepare him and make connections from  
16 the books that he was reading to the math problems  
17 that he was facing so that he could understand  
18 better what was going on in math class.

19           Those are the kinds of teachers that  
20 this particular kind of -- this regulation would  
21 erase from the public schools of Pennsylvania.

22 And as a parent, that's a concern to me.

23           Mr. Rockauer is a teacher who my son  
24 still visits even though he's in 8th grade. And  
25 as he goes through the middle school, he's had

1 wonderful teachers; but none have connected with  
2 him in the same way that he did whenever he was in  
3 4th grade.

4           And in 4th grade, he had Mr. Rockauer  
5 for all subject areas across the curriculum. He  
6 was not specially prepared in just reading or just  
7 math or just science. And that's what this  
8 proposed regulation will do with 4th grade  
9 teachers.

10           As an educator, I'm concerned about  
11 consequences of reforms that are intended to  
12 redirect the market in ways that are not based on  
13 research.

14           On page 10 of an FAQ prepared by the  
15 Pennsylvania Department of Education, there's a  
16 quote from Mitchell who concluded:

17           The present certification structure  
18 makes the early childhood certificate much less  
19 valuable in a market economic sense than the  
20 elementary certificates and -- anyone who wants to  
21 teach in a public school only needs the elementary  
22 certificate. The strong incentive market forces  
23 is not operating with an early childhood  
24 certificate.

25           The document continues: Elementary



1 education is the favored certification status for  
2 hiring early elementary grade teachers in most  
3 Pennsylvania public school districts because of  
4 the very flexibility.

5           In other words, with Chapter 49-2,  
6 there is an attempt to change the market so that  
7 ECE teachers will find jobs in Pennsylvania's  
8 public schools, yet we have no real evidence that  
9 preK through 3 teachers are better prepared to  
10 teach 1st grade than K-6 teachers.

11           On the contrary, we have evidence that  
12 K-6 teachers are highly sought after by  
13 administrators and school officials in our state  
14 and in other states as well.

15           Another concern that I have as an  
16 educator is the overlap with grades 4 through 8  
17 and 7 through 12. It was expressed earlier that  
18 we will potentially face shortages with the grades  
19 4 through 8 certification for upper grades and  
20 also add that the State of Virginia had a split  
21 similar to this and within five years they  
22 eliminated it.

23           With the overlap with grades 7 through  
24 8, we have the potential to have teachers who are  
25 trained in very different ways. Most teachers

1 will choose the 7 through 12 option because that's  
2 the option that seems like it would be more  
3 appealing to them.

4           The other concern that I have as an  
5 educator is that we do need to pay attention to  
6 the structures of schools as we think about  
7 professional development schools, professional  
8 development for in-service teachers, mentoring for  
9 new teachers, and the overall work that teachers  
10 will engage to develop curriculum and other  
11 aspects of the child's education.

12           Most elementary schools in Pennsylvania  
13 are K-5 and K-6 schools, and we need to think  
14 about ways we can foster community and  
15 collaboration within these schools, part of which  
16 involves developing a shared language, not  
17 fragmenting and separating teachers through  
18 various certification schemes that do not map onto  
19 the schools that we have very well.

20           Some of these points are in the  
21 Governor's Commission for Training America's  
22 Teachers, yet they were not taken into account  
23 with this proposal.

24           As a researcher, I'm well aware of the  
25 criticisms that are weighed towards public

1 educators and teacher educators about the needs to  
2 engage research-based practices. I believe that  
3 we have a lot to learn from research and to -- in  
4 making thoughtful decisions about practices in  
5 schools.

6           Yet there is no research to support  
7 splitting teacher education on teacher  
8 certification in this way. And we do not know  
9 that this change in certification will raise test  
10 scores or bring other desired results.

11           To the contrary, we have years of  
12 evidence that the K-6 certificate has served  
13 children fairly well in Pennsylvania. We have an  
14 increasingly diverse group of children in our  
15 public schools, we have families who have suffered  
16 from hard economic times, and yet the PDE reports  
17 that our PSSA scores continue to rise.

18           While the public officials behind this  
19 proposal will point to government report summaries  
20 and some research about the importance of early  
21 childhood programs, there is no research-based  
22 evidence to suggest that the K-6 certificate  
23 should be eliminated.

24           We can strengthen early childhood  
25 programs throughout the Commonwealth and we can

1 develop strong, research-based middle schools  
2 without eliminating the K-6 certificate. So our  
3 suggestion -- my suggestion is that we need to  
4 fully understand the implications of this  
5 proposal.

6           We can retain the K-6 certificate,  
7 develop the M-3 and the middle school certificate,  
8 which would be a 5-8 certificate, and research  
9 them and understand better what the implications  
10 are before we move to get rid of the K-6  
11 certificate.

12           Thank you.

13           CHAIRPERSON ROEBUCK: Thank you very  
14 much. We'll go now to Dr. Patrick Jones from the  
15 Pennsylvania Music Educators Association.

16           DR. JONES: Thank you, Dr. Roebuck, and  
17 the dedicated Members of the Committee who have  
18 stayed with us. I know as a dance band trombonist  
19 it's the most dedicated dancers who are there to  
20 the bitter end.

21           And I also want to begin by thanking  
22 Tracey McGlocklin for her hard work and  
23 hospitality in putting this thing together. And  
24 it's the people behind the scenes who need some  
25 applause as well.

1           Dr. Roebuck and Committee Members,  
2 thank you for this opportunity to speak with you  
3 today. I'm here on behalf of the Professors of 37  
4 music teacher education programs -- that's how  
5 many we have -- in Pennsylvania and the 5,135  
6 members of the Pennsylvania Music Educators  
7 Association.

8           I'm joined today by our Executive  
9 Director, Margaret Bauer. We're not concerned  
10 with the split of the certificate because our  
11 people are already certified K to 12, and it's  
12 going to become preK to 12.

13           But we are quite concerned with the  
14 proposed changes at Chapter 49 paragraph 13 that  
15 mandate the equivalent of 12 credits of the  
16 content of initial certification degrees be  
17 devoted to teaching special needs children and  
18 English language learners.

19           No matter how we slice it -- we can  
20 talk hours, we can talk credits -- it's 12 hours  
21 worth of content that will be changed.

22           There are three main points I make in  
23 my written testimony, and I'll refer to those now.  
24 Chapter 49, if you look at Table 1 in the written  
25 testimony, Chapter 49 is only one of the mandates

1 that affect music education degrees.

2           Some of the discussion here today was  
3 as if we in higher education can just take off our  
4 robes and caps from walking across our ivy-covered  
5 campuses and do whatever we want. But the reality  
6 is we answer many masters through our many  
7 mandates.

8           We cannot change something of  
9 this -- make this drastic a change without  
10 considering the impact on the others. This change  
11 will result in a reduction of content area in the  
12 degrees.

13           It will be in violation of Chapter 354,  
14 it will be in violation of the guidelines from the  
15 National Association of Schools of Music that  
16 accredit our programs, and it will not properly  
17 prepare teachers in accordance with Pennsylvania  
18 Department of Education's general standards and  
19 specific program guidelines.

20           Graduates will then not be competent to  
21 fulfill the responsibilities outlined in CSPG  
22 No. 55, which is the Music Education CSPG, nor to  
23 deliver the content mandated in Chapter 4.

24           And our music teacher education  
25 programs risk losing national accreditation from

1 the National Association of Schools of Music,  
2 which would mean music education degrees from  
3 Pennsylvania would not be recognized by many  
4 universities and states across the country.

5           Table 2 shows you how we put together a  
6 bachelor degree in education. A bachelor degree  
7 in education consists of three components:  
8 General education, the major academic content  
9 area, and professional education studies.

10           Table 2 lists the current composition  
11 of a bachelor degree in music education that meets  
12 both PDE mandates and NASM guidelines. As you can  
13 see, it is actually already impossible to meet  
14 both of them at 120 credit hour degree. Simple  
15 math shows that one comes up four credits short  
16 just to meet the minimum requirements.

17           The Pennsylvania State System of Higher  
18 Education and many universities have set that 120  
19 hours as the target for all degrees. In order to  
20 meet that target, programs have adopted three  
21 academically questionable practices known as  
22 double dipping, diluting, and devaluing.

23           Double dipping is where you count  
24 professional education courses as general  
25 education courses, such as using educational

1 psychology in place of a traditional psychology  
2 course, not in addition to it.

3           Diluting is where the content of two or  
4 more previous courses in the professional  
5 education component are combined into one new  
6 course.

7           And devaluing is where fewer credits  
8 are given for courses that meet for greater  
9 contact hours. For example, PDE-mandated field  
10 observations and practicums are often only awarded  
11 one credit or are required as corequisites for a  
12 course, but for which students receive no  
13 additional credit.

14           The degree programs are already  
15 overcrowded, and the general education and  
16 professional education components have already  
17 been compromised.

18           Therefore, the only way to make room  
19 for this newly proposed mandate would be to remove  
20 or reduce courses from the major content area of  
21 the degree, which will have a negative impact on  
22 our economy and quality of life.

23           Pennsylvania's economy is no longer  
24 primarily industrial. The Pennsylvania Department  
25 of Community and Economic Development has listed



1 high technology, biosciences, advanced  
2 manufacturing and materials, and business services  
3 as key industries for Pennsylvania's economy.

4           The raw material for these areas is the  
5 intellectual capacity, creativity, and innovation  
6 of our workforce. Unfortunately, Pennsylvanians  
7 are currently far behind much of the country and  
8 the world in being prepared for this new economy.

9           Pennsylvania ranks 28th in the nation  
10 in the percentage of adults over 25 with a  
11 bachelor degree. Pennsylvania was eleventh in  
12 total patents awarded in 2005. These are concrete  
13 indicators that our workforce is not as educated  
14 and not as innovative as it needs to be.

15           The antidote to this, of course, is for  
16 our schools to offer intellectually-rigorous  
17 curricula that foster the development of  
18 innovation and creativity. To do this, we need  
19 teachers to possess expertise in the content areas  
20 they teach.

21           The current proposal, however, would  
22 actually dilute the content expertise of our  
23 teachers. Weaker teachers would result in our  
24 workforce not being globally competitive.

25           Consequences would be disastrous. For

1 example, companies would choose to locate  
2 elsewhere. All bright and educated young people  
3 would leave Pennsylvania for good jobs elsewhere.  
4 We would be left with an undereducated and  
5 underskilled workforce and an ageing population.

6           We would suffer a loss of state and  
7 local revenue, which would make it ever more  
8 difficult to deliver services to an ageing  
9 population and potentially increased prison  
10 population. And our influence nationally would be  
11 reduced as we continued to lose congressional  
12 seats and electoral votes.

13           If this all sounds extreme, it is not.  
14 It is already happening as outlined by the  
15 Brookings Institution in its 2003 report, Back to  
16 Prosperity, a Competitive Agenda for Renewing  
17 Pennsylvania.

18           The current proposal, rather than  
19 reversing the situation, will only make it worse;  
20 therefore, we recommend that no more than 90 hours  
21 or the equivalent of three credits for instruction  
22 in literacy skills development and cognitive skill  
23 development for students with disabilities be  
24 addressed in the initial certification programing.

25           The remaining hours for special needs

1 student and the 90 hours for English language  
2 learners should be requirements for Instructional  
3 2 certificates. It is at that point in their  
4 careers that teachers are ready to learn that  
5 content anyway.

6 Thank you, Dr. Roebuck and Members of  
7 the Committee, for convening this important  
8 hearing and for the opportunity to address you on  
9 this important issue. I welcome the opportunity  
10 to entertain questions at this time.

11 CHAIRPERSON ROEBUCK: Thank you very  
12 much. We come then to Baruch Kintisch, staff  
13 attorney of the Education Law Center.

14 MR. KINTISCH: Yes, sir. Good evening  
15 I think is what it is. With those who are left, I  
16 don't know if I'm preaching to the choir or being  
17 thrown to the lions here.

18 I am Baruch Kintisch, staff attorney  
19 with the Education Law Center. We're a statewide  
20 nonprofit organization. Many of your offices both  
21 here and in the district refer many parents who  
22 call your office seeking help for public school  
23 problems to our Website where there are many  
24 publications and to our lawyers and paralegals who  
25 speak to thousands of parents a year in our office

1 about the problems they're encountering in public  
2 schools.

3           And Chairman Roebuck and Chairman  
4 Stairs, I appreciate the opportunity to speak  
5 today. I will be very brief. These regulations  
6 as proposed by the State Board are not a drastic  
7 change.

8           They don't violate any other state  
9 laws. Regulations are not going to ruin our  
10 economy or place more children on the dropout or  
11 fail into prison.

12           Let's deal with the reality here. We  
13 could go back to a system of K-12 certification  
14 where that's what you get when you graduate from  
15 college. You get a K-12 certificate. No lines  
16 will be drawn. You can teach wherever you want to  
17 teach or wherever the school places you.

18           That's absurd too, right? We know we  
19 don't want that kind of a system. But why?  
20 Administrators would find it very convenient to  
21 assign teachers wherever they wanted to with a  
22 K-12 certificate. Teachers can move around  
23 wherever they want to.

24           Long ago we decided that's no good. We  
25 have to draw lines. We have to specialize and we

1 have to focus. That's been determined decades ago  
2 in Pennsylvania and all the across the country.

3           So the real question here is whether  
4 the current lines we have in the system are  
5 working well or not. I don't think you had  
6 anybody testify today that says the current lines  
7 are satisfying the needs of students or teachers  
8 or anyone else.

9           So the Board and the Department deserve  
10 a lot of credit for trying to tackle a really  
11 difficult issue, but it has to be tackled. If you  
12 look just at the statistics, the problems that  
13 they are addressing are right on the mark; but  
14 they are overwhelming.

15           Our teachers are unprepared because the  
16 diversity in our classrooms now is unprecedented.  
17 We have over 524,000 children in poverty in our  
18 state, in our classrooms; 242,000 children with  
19 disabilities; over 38,000 children who are  
20 learning English; over 41,000 students of color in  
21 our classrooms.

22           And if you're a parent and you go to  
23 the open school night at the open house at the  
24 beginning of school each year and you have a child  
25 with a disability or is learning English or in the

1 upper elementary grades, if you ask those  
2 teachers, What training have you received to teach  
3 children with disabilities or English language  
4 learners in a regular classroom where my child is  
5 with you and where I want my child to be, the  
6 answer from almost every teacher is gonna be, this  
7 much (indicating). Not very much training in how  
8 to teach diverse learners at all.

9           So we've got to do something. It's not  
10 acceptable for most of our teachers to go through  
11 the system and have no training in how teach  
12 diverse learners. We can't let the status quo  
13 stand.

14           And if you ask -- if a child is in  
15 upper elementary grade and you say to them, How  
16 much experience do you have in 5th grade, 4th  
17 grade, 6th, 7th, 8th grade? And they would say to  
18 you, Well, I've been a 2nd grade teacher my whole  
19 career; but I'm sure I would pick up the  
20 curriculum.

21           You're not going to be satisfied with  
22 that as a parent. You're going to want that  
23 teacher to have content knowledge to some degree.  
24 The Board's dealing with that in these  
25 regulations, and that is wise.

1           One out of every 13 teachers leaves  
2 their job each year in Pennsylvania partly because  
3 they don't have the training or the support to  
4 deal with these issues. The Department and the  
5 Board are correct that the regulations need to  
6 change. We need to move the lines to deal with  
7 this.

8           Our test scores we've talked a lot  
9 about. The achievement gaps speak for themselves.  
10 Why did the Board and the Department pick special  
11 ed and English language learners as the area to  
12 focus on? Because they have the largest  
13 achievement gaps in the state.

14           They could choose other groups to focus  
15 on in the future. I hope they do. But they  
16 picked the right areas to start.

17           Here's just a couple things in closing  
18 if I may reflect on the testimony that's been  
19 given previously. Education Law Center is here,  
20 obviously, to support these regulations.

21           We support them because we focus on the  
22 interests of children. A lot of the other  
23 interests that you've heard discussed today are  
24 being put forward for the adults in the system.

25           Obviously, the teacher certification

1 and the teacher preparation rules must address  
2 both the adults and the children; but there's  
3 gotta be a balance there.

4           The way that the Board and the  
5 Department have crafted these regulations, there  
6 is a balance. Everyone must chip in. The  
7 universities have to do something. New teachers  
8 have to do something.

9           Teachers getting their permanent  
10 certification in the first five years must do  
11 something. Teachers over the course of their  
12 career through professional development must do  
13 something. That's the right approach.

14           Second, there is flexibility here.  
15 People will have to adapt, but let me be real  
16 specific in only one way. If I'm an administrator  
17 and I'm in a small school or rural school  
18 district, under these regulations in the future,  
19 here's what I'm going to say to my teachers:

20           I hired you to be an early childhood  
21 teacher or I hired you to be a 4 to 8 teacher; and  
22 while you're getting your credits to become  
23 permanently certified in your first five years, I  
24 want you to use some of those credits for a dual  
25 purpose.



1           That dual purpose will be to also gain  
2 through the accelerated program in these proposed  
3 regulations, that purpose will be to also gain an  
4 overlapping certificate so you can teach anywhere  
5 from preK up to 8.

6           The Board has wisely put this into the  
7 regulations. It's not a burdensome or onerous  
8 program. It gives plenty of flexibility to  
9 everyone. It's a new way of thinking about  
10 things, because you'll enter the system, and in  
11 your second or third year you can't be switched  
12 from a 5th grade to a 3rd grade classroom.

13           But is that really what we want anyway?  
14 No. We want stability in our teachers at a grade  
15 level to develop expertise and confidence. Within  
16 their first five years, they'll be able to also  
17 get this alternate accelerated program so they can  
18 teach anywhere from preK to 8.

19           They won't have to take any new credits  
20 at all. They'll use the existing courses that  
21 they'll take in order to get their permanent  
22 certification. That's not burdensome and it's not  
23 radical. It's very gentle, as a matter of fact.

24           One final point that I would like to  
25 make. There's been a lot of talk about

1 why -- what's driving this? Why are we doing this  
2 to satisfy NCLB? One regulation, one federal law  
3 that we've left out is the IDEA, the rules for  
4 special education students.

5           They have just as many mandates here as  
6 we've been talking about for NCLB, and these  
7 regulations are being driven by those  
8 requirements.

9           You know what? IDEA was put in place  
10 because academic achievement for students with  
11 disabilities was lagging way behind and the  
12 federal government 30 years ago and all states,  
13 including Pennsylvania, agreed that we needed to  
14 do something to address achievement for students  
15 with disabilities.

16           This regulation doesn't change  
17 Pennsylvania law one bit in that regard. It  
18 actually just reflects the status quo.

19           The folks who were coming before you  
20 and testifying and opposing these regulations are  
21 using this as a whipping boy to say this  
22 regulation's bad because it's gonna require  
23 special ed teachers to get dually certified.

24           Well, that's already in Pennsylvania  
25 law. This regulation doesn't change it. That's

1 what we're gonna see in federal law for very good  
2 reasons. This regulation does other things, but  
3 it doesn't change that status quo.

4           And secondly, NCLB was put in place  
5 2001. But the ESEA regulation and the ESEA  
6 federal law, it also stands side by side with it,  
7 overlaps, that's been in place for decades as  
8 well.

9           And ESEA was put in place and NCLB  
10 strengthened it because students who are of color,  
11 students in poverty, students learning English  
12 were not closing achievement gap.

13           And the federal government decided that  
14 with a little bit of money that they provided to  
15 the states -- and it's only a little bit of  
16 money -- they wanted to try to encourage the  
17 states to have good practices to close those gaps.

18           Pennsylvania and every other state,  
19 almost every other state, has taken those  
20 challenges, over decades now, to close achievement  
21 gaps for kids in those high-needs areas.

22           This regulation, once again, doesn't  
23 change that status quo at all. It just reflects  
24 the reality of where we've been going for decades.  
25 We can quibble about where the lines are going to

1 be drawn.

2           I think that Dr. Fogarty has shown  
3 great flexibility. In two years of developing  
4 this regulation, the Board has held hearings all  
5 across the state, roundtables all across the  
6 state. And I personally have been to most of  
7 them.

8           These regulations have changed  
9 dramatically from when they were first proposed by  
10 the Department as dual certification, full dual  
11 certification. Every teacher in every classroom  
12 from preK to 6 was gonna have that special ed plus  
13 the regular certification.

14           That's the future, my friends. That's  
15 where we're going. And colleges will find a way  
16 to adapt; administrators will find a way to adapt.  
17 Ten years from now, that's the regulation that's  
18 gonna come before you because that's the direction  
19 we're headed in.

20           It's impossible to dig our heels in  
21 here and say we're not going any further, because  
22 the tidal wave of diversity and the achievement  
23 gaps we're facing have to be dealt with.

24           This is a baby step. The parents that  
25 I represent -- this will be my last statement.

1 The parents that I represent really don't want  
2 this. What they really want is full dual  
3 certification.

4           What they really want is every teacher  
5 having mandatory 30- or 40-hours as  
6 undergraduates. The 30, 40 credits doesn't mean  
7 there's -- in how to teach English language  
8 learners. They want every education class in  
9 college to teach about diverse learners, not for  
10 it to be isolated off into a corner.

11           That's what we want. The Board is wise  
12 here. They're making an incremental step. It's  
13 not radical. It's absolutely necessary though in  
14 order to move our schools from the past into the  
15 present and, hopefully, into the future.

16           We strongly support this and we look  
17 forward to continuing the dialogue with you, the  
18 Board, and the Department. Thank you.

19           CHAIRPERSON ROEBUCK: Thank you. I  
20 want to thank all the panel members for their  
21 presentation and ask if there are any Committee  
22 Members who have questions for the panel?

23           Representative O'Neill.

24           REPRESENTATIVE O'NEILL: I don't know  
25 if Tim can answer this, if you can or not. We

1 heard from music ed teachers, I guess. What is  
2 the certification now -- I don't know. I guess I  
3 should know this, but I don't -- for music  
4 teachers, art teachers, even PhysED teachers? I  
5 think PhysED teachers are K through 12; is that  
6 correct?

7 DR. JONES: That's correct.

8 REPRESENTATIVE O'NEILL: Does this  
9 affect, change those certifications; in other  
10 words, the PhysED teacher would have to be  
11 certified in K through 3? It doesn't affect that  
12 at all?

13 DR. JONES: No. What it does, sir, is  
14 it moves it from K to 12 to preK to 12.

15 REPRESENTATIVE O'NEILL: But they're  
16 shaking their head no. If you want to be a gym  
17 teacher, you don't have to have a K through 3rd to  
18 teach the kids K through 3rd? Is that the same  
19 for music, art? These are specialized areas?

20 DR. JONES: Perhaps I should stand  
21 corrected, but our current certification is K  
22 through 12. And one of the changes here will be  
23 preK through 12. Am I not correct on that?

24 MS. BRUMBAUGH: (Shakes head from side  
25 to side.)

1           REPRESENTATIVE O'NEILL: Great.

2           CHAIRPERSON ROEBUCK: I'm sorry. Is  
3 that incorrect? It's not preK to 12?

4           DR. JONES: So music, art, and PhysED  
5 teachers will not be preK to 12 certified with  
6 this new change?

7           DR. FOGARTY: We'd changed it  
8 previously, I believe --

9           MS. BRUMBAUGH: It's not a change in  
10 this regulation.

11          DR. FOGARTY: -- last July.

12          DR. JONES: Changed it this last year  
13 then.

14          REPRESENTATIVE O'NEILL: And I just  
15 have one other statement or comment for the  
16 Chairman and anybody else that wants to hear it.  
17 It seems to me that the one resounding theme that  
18 I've heard all afternoon is our teachers aren't  
19 being prepared for our schools today.

20                 Quite frankly, I don't care if it's  
21 preK to 3, 4 to 8, or K to 12; if they're not  
22 being prepared, then I think there's some onus on  
23 our universities. And I think part of it is  
24 diversity and a lot of other things.

25                 I think maybe we should have a hearing

1 down the road to bring our universities in to tell  
2 us what they are doing to educate teachers to  
3 become teachers and what their plans are for the  
4 future. Because, obviously, you know, all these  
5 studies are showing that our teachers aren't being  
6 prepared.

7           They're not being prepared no matter  
8 what the state requirements are for  
9 certification -- I could tell you I was in a  
10 classroom 27 years. And I learned to be a teacher  
11 in the classroom, not in college, you know.

12           And that's why I brought up how many  
13 teachers have certification, because some of the  
14 worst teachers I had were my professors in  
15 college. They were very knowledgeable in their  
16 subject, but they didn't know how to teach a  
17 classroom.

18           And I'll never forget my most important  
19 subject that I had, because I also got a degree in  
20 psychology, so I was dealing with emotional  
21 support children. And the professor who taught me  
22 how to teach emotional support, his background was  
23 business. He had a master's degree in economics  
24 and he had a doctorate degree in education, and he  
25 was trying to teach me how to be a teacher. And I



1 never understood that.

2           So, I mean, it's just food for thought  
3 that maybe -- we may want to bring in the  
4 Department of Higher Education to hear that, or I  
5 can speak to my Co-chair down there on the -- or a  
6 subcommittee on higher education. Maybe I could  
7 do that.

8           MR. KINTISCH: Could I make just a  
9 really brief response? We've heard from some  
10 universities here; but at Education Law Center, we  
11 work with a lot of universities across the state.  
12 In Philadelphia there's a university, it's called  
13 The Family University. There's Arcadia University  
14 just outside of Philadelphia.

15           All of them have strongly supported  
16 these regulations. They've participated in the  
17 development all along. They have dual  
18 certification programs. They're doing the stuff  
19 already that is being reflected in these  
20 regulations.

21           And there's dozens of universities and  
22 colleges all across the state that are already  
23 doing this stuff. The regulations are gonna have  
24 an impact in enforcing change in universities that  
25 haven't incorporated these practices yet.

1           And I think Dr. Fogarty's been very  
2 generous to that constituency in making sure that  
3 they have time and flexibility to get on the right  
4 page.

5           CHAIRPERSON ROEBUCK:   Jess.

6           REPRESENTATIVE STAIRS:   Thank you,  
7 Mr. Chairman.  Let me ask a question to our School  
8 Board Association, Mr. Allwein.

9           I received numerous letters from school  
10 boards in reference to these proposals; and,  
11 obviously, there's been significant changes.  And  
12 you state in your remarks that you welcome working  
13 on these new proposals and you see the positives  
14 of what the endeavor here is.

15           But do you see any unsurmountable  
16 problems existing -- I know you mentioned about  
17 flexibility, having the school districts maybe  
18 please the Act 48 and the dual certificates.  We  
19 have come a long way in these regulations.

20           You know, getting close to the finish  
21 line or is there still a long way to go?

22           DR. ALLWEIN:  I would characterize it  
23 as getting close to the finish line.  You're  
24 absolutely correct.  I think as far as flexibility  
25 goes the regulations have come quite a ways.  I

1 think we would like to see the exception language  
2 in, I believe it's section 49.85 or whatever it  
3 was that I cited, fleshed out a little bit more.

4           But I think it's a lot closer to  
5 something that would make these acceptable to us  
6 than it was a year or two ago. So the answer is  
7 yes, we're getting closer.

8           REPRESENTATIVE STAIRS: It's good to  
9 hear that. Obviously, the process isn't over yet.  
10 Review and the Legislature's input, there's still  
11 things that could be offered. And I compliment,  
12 you know, Dr. Fogarty for his effort and the staff  
13 who are trying to work out this very difficult  
14 situation.

15           And I can say I'm hopeful -- soften  
16 those rough edges up a little bit. So I'd say  
17 it's good to know we're getting close but maybe a  
18 few more things will make it even better.

19           CHAIRPERSON ROEBUCK: Representative  
20 Curry.

21           REPRESENTATIVE CURRY: In the statement  
22 that you read very, very quickly, is that  
23 essentially what we have here or is that  
24 different, what you read?

25           MS. EDMONDSON: I gave you some

1 comments from our special education faculty.

2 That's what this is.

3 REPRESENTATIVE CURRY: Do you have a  
4 copy of what you read?

5 MS. EDMONDSON: Yes. You have a copy  
6 of my written testimony as well. Yes.

7 REPRESENTATIVE CURRY: Okay. And  
8 second thing is, would you explain how you think  
9 the proposed definition of diverse learner might  
10 lead to some legal problems?

11 MS. EDMONDSON: That's from our special  
12 education faculty. If I could refer to Dr. Kate  
13 McKinon, who's here, on special education. Would  
14 she be able to answer that question?

15 MS. MCKINON: I think that the concern  
16 that was raised in that paper has to do more with  
17 clarity, a broad interpretation is possible when  
18 you just say diverse learners.

19 And what we're saying is that it should  
20 either be deleted or it should be more clearly  
21 demarked whether it's culturally diverse or  
22 special learning needs, because we are concerned  
23 about the interpretation in the future by others  
24 that may not have been an integral part of this  
25 process.

1                   So that's what we were referring to in  
2 that section.

3                   REPRESENTATIVE CURRY: Okay. Is that  
4 recommendation any place in your testimony?

5                   MS. MCKINON: Oh, it is there, yes.

6                   REPRESENTATIVE CURRY: Okay.

7                   CHAIRPERSON ROEBUCK: Representative  
8 Curry.

9                   MR. KINTISCH: I guess it would be  
10 helpful if you could also run that definition  
11 by -- and biographers nationally. It's a good  
12 definition. These regulations aren't intended to  
13 deal with other kinds of diverse learners; they're  
14 only intended to deal with students with  
15 disabilities and English language learners.

16                   And that's why it's defined this way.  
17 But I think that as Mr. Buckheit explained  
18 earlier, that definition doesn't apply to any  
19 other part of what we do in Pennsylvania. It  
20 would just apply to these regulations for teacher  
21 preparation and for ongoing professional  
22 development.

23                   There are other definitions of diverse  
24 learners that may be more appropriate for other  
25 parts of the education system, but this is only

1 intended to apply to one narrow range. And we're  
2 comfortable with that in the educational system.

3 REPRESENTATIVE CURRY: Does it say that  
4 in the regulations?

5 MR. KINTISCH: I believe it's just a  
6 part of the regular statutory construction rules,  
7 but I'm sure that Dr. Fogarty would be happy to  
8 make it clearer.

9 REPRESENTATIVE CURRY: Dr. Fogarty,  
10 would you like to make that clearer?

11 DR. FOGARTY: We'll refine the  
12 definition.

13 CHAIRPERSON ROEBUCK: Are there any  
14 other questions from Members of the Committee?

15 (No audible response.)

16 CHAIRPERSON ROEBUCK: Let me just ask a  
17 question in general, and maybe it goes best to our  
18 last speaker. It has to do with the whole idea of  
19 training and where best to do it.

20 At least in part some of the testimony  
21 we heard suggests that maybe some of this ought to  
22 be done not at the initial level, but at the  
23 second level of teacher preparation where you  
24 might indeed do more substantive, more substantial  
25 training that's opposed to one course or three

1 courses, which in my mind still raises a question  
2 of what the significance of certainly a single  
3 course in teaching students English as a second  
4 language will have.

5           What is your response to that? Is it  
6 inappropriate to do it at a different level, or do  
7 you think the proposal just getting where you have  
8 just one course is sufficient to start?

9           MR. KINTISCH: That's a very, very  
10 valid question and thank you for asking it.

11           There are two areas to the response  
12 that I could give. The first is, What are  
13 colleges and universities already doing in that  
14 area? And the second is, What is the impact of  
15 colleges and universities doing nothing in this  
16 area? And I can address both of them extremely  
17 briefly.

18           Many colleges and universities are  
19 already finding room within their current  
20 curriculum, their current course hours and so on  
21 for their education students to have full dual  
22 certification in special education and regular  
23 education.

24           They're doing that by infusing these  
25 diverse learner issues and knowledge and skills

1 into existing course work. When these regulations  
2 began, that kind of infusion model wasn't part of  
3 it.

4           But in response to the testimony that  
5 happened over this two-year period, Dr. Fogarty  
6 and the Committee on board that was handling this  
7 made infusion an option.

8           If colleges and universities want to  
9 teach these classes in stand-alone places, they  
10 can; but they want to infuse this content into all  
11 of their classes. That's actually the  
12 recommendation also of the Education Law Center.

13           So in response that that part of your  
14 question, Representative Roebuck, colleges and  
15 universities can do as much of this as they want  
16 to under the regulations.

17           The regulation sets a floor that says,  
18 at a minimum, you must provide 90 hours for  
19 training for English language learners and 270 for  
20 students with disabilities. Education Law Center  
21 wants a lot more done, but the regulations doesn't  
22 prohibit colleges and universities from doing  
23 more.

24           They can infuse as much as they want to  
25 into their existing course work. That's not going



1 to stop kids from graduating in four years. They  
2 have lots of hours in student teaching, many, many  
3 hours in methods courses and other places where  
4 they'll be able to -- let me say it this way:

5           If you're taking a methods course in  
6 the method of teaching language arts and your  
7 professor is not giving you content about how to  
8 teach English language learners or not giving you  
9 content in that methods course about how to teach  
10 students with disabilities, what message is that  
11 sending you as an undergraduate student? It's  
12 sending you a message that those students don't  
13 count; they're not valued. Right?

14           And so that goes to the second answer  
15 to your question, which is, Why just three credits  
16 and nine credits? Why just 90 hours or 270 hours?  
17 Why not require more? We would support more,  
18 sure. But what's workable in the present system?

19           You see how much push back there is  
20 even on this in minimal requirement. At Education  
21 Law Center, we support these regulations even  
22 though we want more because we believe the Board  
23 has made the right judgment about what's gonna fit  
24 now, what's gonna work now in the current system.

25           We have a lot of institutions that have

1 to get up to speed. They've got to figure out how  
2 to do this stuff. And the reason they have to do  
3 it is because when students are graduating from  
4 those colleges and universities and their  
5 professors have said very little to them about  
6 students with disabilities or said very little to  
7 them about English language learners, that sets an  
8 attitude. That message was heard earlier.

9           That's why you have teachers who aren't  
10 interested in teaching those kinds of students  
11 later on in their careers because when  
12 they're -- I mean, look what you do. You admire  
13 your professors, right? You look up to them.  
14 They are your icons of what a teacher should be,  
15 right?

16           You're very impressionable as a college  
17 student. And if those folks aren't addressing  
18 these things, then the message you're getting is  
19 that these things don't count. The Board is  
20 taking the right first step in saying these things  
21 have to count in every institution that's going to  
22 graduate kids to be teachers in Pennsylvania.

23           CHAIRPERSON ROEBUCK: Very good.

24           Dr. Fogarty, am I understanding it  
25 correctly, I thought that the regulations had

1 specific course requirements in terms of hours and  
2 courses? This is saying there's a fuse. How do  
3 you measure a fuse as to whether that translates  
4 into three courses or one course or what? How do  
5 you measure that?

6 DR. FOGARTY: Each of the  
7 program -- each of the colleges has their various  
8 program areas approved through the Department of  
9 Education Guidelines developed working with the  
10 colleges.

11 So the college of education in a  
12 particular area, in science or in elementary or  
13 whatever, is evaluated based on certain  
14 guidelines.

15 So there's an evaluation done of  
16 certain things that should be in the guidelines  
17 that need to be included in the courses. And  
18 there are actual checks that are made with an  
19 on-site visitation team. Some are by Middle  
20 States Evaluation. You're familiar with them?

21 So that's all checked. It's validated  
22 over a period of years and this part of it does  
23 validate that these things are included. These  
24 things need to -- the new regulations need to  
25 follow the flow of regulations or what's called

1 Chapter 354, which are Department regulations to  
2 the program guidelines.

3           It's all going to flow and come back to  
4 a validation that it actually happens.

5           MS. BRUMBAUGH: And the Department is  
6 in the process of revising its program guidelines  
7 and the review process so that we will have  
8 measurements for how we measure this.

9           DR. FOGARTY: It'll be checked.

10           CHAIRPERSON ROEBUCK: I guess I'm  
11 reminded that when I taught history at the college  
12 level and I taught students who were being  
13 prepared for teaching, were required to have  
14 Pennsylvania history; and, therefore, they took  
15 the 20th Century U.S. History and called it U.S.  
16 History in Pennsylvania.

17           I taught that course over and over  
18 again. I don't think I ever taught Pennsylvania  
19 history in that course as a -- some of you do  
20 agree a part is Pennsylvania history. Isn't that  
21 the danger in this, that although it's there in  
22 title, it is not there in reality?

23           DR. FOGARTY: You can never -- you can  
24 never guarantee what someone can do with a set of  
25 state guidelines when they actually implement

1 them.

2           CHAIRPERSON ROEBUCK: But you can  
3 guarantee that it's a separate course, that there  
4 is a course that is of substance?

5           DR. FOGARTY: That you can do.

6           MS. BRUMBAUGH: That's easier to  
7 measure.

8           CHAIRPERSON ROEBUCK: I guess I'm just  
9 suggesting there seems to be a bit of ambiguity  
10 here that needs to be clarified.

11          DR. FOGARTY: What it comes down to is  
12 we have institutions already working towards these  
13 changes already, that are already making these  
14 changes; and we have institutions who are fighting  
15 us bitterly about those changes.

16          And in the end, some will implement  
17 them well and some will not implement them at all  
18 or some will implement them very minimally. And  
19 that's the reality of life. That's what's going  
20 to happen, as happens with all of our  
21 institutions.

22          CHAIRPERSON ROEBUCK: One final  
23 observation, and that goes back to the discussion  
24 of the preparation of music educators, which I  
25 confess I do have a particular interest.

1           But what you were suggesting,  
2 Dr. Jones, is that, in fact, somehow these  
3 procedures will mean that those people in that  
4 curriculum will not meet the standards of music  
5 education, national standards, whatever.

6           And I guess it would be helpful to have  
7 that clarified at least for the record of this  
8 hearing.

9           DR. JONES: Absolutely. Nothing comes  
10 without cost. If we're going to take 12 credits  
11 worth of context time, no matter whether it's  
12 infused in other courses, whether it's separate  
13 courses, then 12 credits of something must come  
14 out.

15           And what I demonstrated in the tables  
16 is that the education degree -- and I gave you the  
17 music ed version, but I think it would be wise to  
18 look at every education degree -- is so severely  
19 impact.

20           The general education curriculum has  
21 already been compromised. The professional  
22 education portion has already been diluted. The  
23 only place left to go is the content area.

24           And so once we start taking things out  
25 of the content area, we start -- we risk losing

1 national accreditation by the National Association  
2 of Schools of Music.

3           And I think we need to be careful  
4 because double major keeps being talked about.  
5 Education majors are already double majors. And I  
6 think we need to remember what it's like to be an  
7 18 through 21-year-old who goes off to college and  
8 is learning to be a mathematician and a math  
9 teacher or a musician and a music teacher.

10           So I don't want to be painted in the  
11 corner as just a music person here. They're  
12 learning to be an historian and a history teacher.  
13 And now we're saying, let's make them a special ed  
14 and English language person as well.

15           And I believe in terms of efficacy they  
16 can't handle it. And the time they really will be  
17 able to handle that is when they're in the schools  
18 and they have special needs children and they'll  
19 be more interested in it and they'll have reason  
20 to learn it.

21           REPRESENTATIVE O'NEILL: I just want to  
22 play the devil's advocate with you. You say it's  
23 being taken from content area -- would it be from?  
24 What's wrong with just adding on 12 more credits?

25           You know, when you're 21 years old,

1 what's another six months in college if this is  
2 something you really want to do? I made a  
3 decision at the age of 19, 20 that I wanted two  
4 degrees: One in psychology and one in education.  
5 So I had to go to school five years. It was a  
6 decision I made. I was a big boy. You know, at  
7 least I told my parents that.

8           And so, you know, my question is -- and  
9 I'm just trying to be a devil's advocate because,  
10 you know, I used to be assistant director of  
11 music; so I know where you're coming from. I was  
12 very involved in that.

13           But, you know, if that's -- if you have  
14 a love for music and you have a love that you want  
15 to teach that and the university's saying to you,  
16 you know, you have to take 12 more credits because  
17 you're going to be able to reach out to a child  
18 that will give you some more skill to reach out to  
19 a child that you may not be able to reach out to;  
20 but with these full credits you may reach out to  
21 that child.

22           As an educator I'd be, like, that's  
23 cool because I might bring some joy and experience  
24 of music into a child's life that probably  
25 wouldn't have gotten it because I didn't have



1 these extra credits in learning more about how to  
2 teach a diverse student, you know.

3           And I say that because one of my jobs  
4 was, as an educator was -- and that's why I get  
5 annoyed about this highly qualified thing, that I  
6 wasn't -- and now I'm not qualified to be a good  
7 teacher because I'm not certified in math or  
8 something.

9           But I was sent into the classroom to  
10 help teachers teach special ed kids and the  
11 regular kids because they lacked skills in, you  
12 know, in classroom communication, classroom  
13 organization. Because they had great content.

14           They were -- I remember one gentleman.  
15 He was a mathematician from Young University. He  
16 was brilliant. Couldn't teach worth beans. So I  
17 was going in and teaching him how to teach.

18           So what's wrong if the universities are  
19 saying to you let's reach out to those kids who  
20 need us more than anybody and so you're going to  
21 take 12 more credits so that you might touch  
22 someone else's life down the road?

23           I'm just trying to be the devil's  
24 advocate.

25           DR. JONES: And I welcome that because

1 it gives me an opportunity to show that I don't  
2 have a selfish agenda here. Because I don't run a  
3 bachelor's program. I run a Master of Arts in  
4 teaching.

5           So all of my students have a Bachelor's  
6 Degree either from the University of the Arts or  
7 elsewhere, and then we do the teaching. And we  
8 actually do site-based methods through  
9 professional development school because we believe  
10 that they learn best to be teachers on-site.  
11 And so we actually practice that where I teach.

12           But I'm here representing all of the  
13 programs. And the State System of Higher  
14 Education has mandated -- and they furnish the  
15 majority of the teachers in the  
16 Commonwealth -- 120 credits for the Bachelor's  
17 Degree.

18           They've given the music people an  
19 allowance. In some of the music degrees you'll  
20 see a hundred and twenty-six. I gave you some  
21 examples on the sheets.

22           So I agree with you that perhaps it  
23 needs it be longer than a four-year program to  
24 properly prepare teachers. But on the other hand,  
25 another state agency is telling us universities

1 you have to do that. You have to -- they're  
2 telling all the preparing faculty, You have to  
3 make that fit within a hundred and twenty.

4           So there's a larger conversation that  
5 needs to be happen about what the education is  
6 about and what we want it to look like. And maybe  
7 it can't be done in four years. I'm just  
8 presenting to you the current problems that our  
9 people are having.

10           CHAIRPERSON ROEBUCK: I'd like to thank  
11 all the Members of the Committee and the various  
12 panel presenters. And I would be remiss if I did  
13 not also thank our very hard-working recorder, who  
14 we wore out today. We want to thank her as well.

15           We will meet again next Tuesday for  
16 another set of hearings, not only on 49-2; but we  
17 will be meeting next Tuesday as well. Thank you.

18           (The proceedings concluded at 4:19  
19 p.m.)

20

21

22

23

24

25

1 I HEREBY CERTIFY that I was present  
2 upon the hearing of the above-entitled matter and  
3 there reported stenographically the proceedings  
4 had and the testimony produced; and I further  
5 certify that the foregoing is a true and correct  
6 transcript of my said stenographic notes.

7

8

9 Deirdre J. Weyer, RPR  
Notary Public

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25