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## TESTIMONY

**Testimony To:** Senate Committee on Education  
**Respectfully Submitted by:** Emily Simmons, General Counsel  
**Subject:** **Comments on DR- 23-0909 – Misc. Education**  
**Date:** March 3, 2023

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Thank you for the opportunity to provide testimony on Draft Request 23-0909 - An act relating to miscellaneous changes to education law.

An overarching comment that the Agency has regarding several provisions of this bill is concern about resourcing many of the policy ideas and research proposed in the bill. New studies, and working groups present additional resource burdens on the Agency. Many of these proposals overlap with or have a natural affinity with work that is already in flight, in particular the State Board of Education's work on the Education Quality Standards, and the Agency's work on the District Quality Standards. We recommend that the committee carefully weigh the proposals in this bill in that context and seek to avoid creating work that is duplicative or not coordinated with this ongoing work.

With these general thoughts in mind, the Agency offers the following specific comments on several sections of the bill.

### **Sec. 1 – State Board of Education staffing and compensation**

First and foremost, the Agency supports a clarification of AOE and SBE roles and responsibilities. In our opinion, questions about supports to SBE would logically be answered after, not before, that clarification.

### **Sec 2 – AOE report on statewide course offerings**

As this section is currently drafted, AOE has significant concerns with both the intended approach and the potential resource costs of this proposal. AOE does gather course data but the data set is not of high quality, and the AOE is uncertain it provides the information the committee is seeking.

AOE data will not show meaningful differences in curriculum and instruction between schools and among Supervisory Unions (SU/SDs), merely what courses are offered and in what year. Even using existing data sets, this analysis would present a significant one-time resource burden to the agency.

If the General Assembly wishes additional, more qualitative data to be collected, it is likely that this study must be contracted out. AOE has not



had sufficient time to review what would be needed and estimate the cost but believes that the cost could range between \$500,000 and \$1 million, potentially more.

Alternatively, we recommend a pilot curriculum audit of three or four SU/SDs. This is a known, discrete science to creating a curriculum audit. AOE would contract this out for less than cost of study described by current language. We estimate approximately \$200,000 would be necessary to enter into a contract for this work.

### **Sec 3 – Proficiency-Based Learning study committee**

AOE does not believe this study will provide results or recommendations commensurate with the cost and effort needed to establish the committee.

We note that Proficiency-Based Learning (PBL) is derived from State Board rule (Rule 2000 – Education Quality Standards). If the General Assembly continues to seek a study of PBL this session, we recommend that you delegate responsibilities to hold hearings and conduct community engagement around PBL to the SBE. The SBE can be directed to report back to the General Assembly as to whether it believes any changes to the rules are needed.

Additionally, we note that the State Board is currently contemplating amendments to the Education Quality Standards, and the AOE has recently filed proposed District Quality Standards. AOE recommends waiting until amendments to EQS and new DQS are in effect, which will be in 2025. The system will be in a state of flux in the interim.

### **Sec 7 – Driver Education Pilot**

As my colleague Ted Fisher noted in testimony earlier today, AOE supports the language as drafted and appreciates the Committee's consideration.

The Administration does not support the use of Transportation Fund dollars for this work. The Education Fund is the proper funding source, as the pilot program will complement and/or supplant local education spending on driver education.