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INDEPENDENT REGULATORY  
REVIEW COMMISSION



March 9, 1999

Dr. James P. Gallagher  
Chairman  
State Board of Education  
Commonwealth of Pennsylvania  
333 Market Street, First Floor  
Harrisburg, PA 17126-0333

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Notebook

Dear Chairman Gallagher:

We are writing jointly to request that the State Board of Education formally consider withdrawing the final-form regulation (# 6-258) to 22 Pa. Code, Chapter 49 (Certification of Professional Personnel), which was forwarded to the House and Senate Education Committees for final approval or disapproval on February 9, 1999 under provisions of the Regulatory Review Act, and which was subsequently tolled by the State Board. We believe this course is in the best interest of furthering a goal we all share: reforming the Commonwealth's system of certifying professional school personnel.

These regulations were last reviewed by our committees in June of 1997. In the interim a new Chapter 4, implementing rigorous academic standards, was enacted as part of 22 PaCode. In addition, a new legislative session convened with members added to both our committees who were not party to previous discussions of this critical issue. Further, the legislature is presently moving toward statutory enactment of legislation establishing continuing professional development requirements for teachers in the Commonwealth. The Senate will soon begin consideration of a proposal on this issue. And, the House of Representatives is tentatively scheduled to deliberate its version of this legislation, House Bill 8, the week of March 15<sup>th</sup>. Should the General Assembly be successful in this endeavor during the 1999-2000 session, Chapter 49 would have to be reopened to reflect the statute. It appears counterproductive to act on Chapter 49 until the issue of continuing professional development legislation has been resolved.

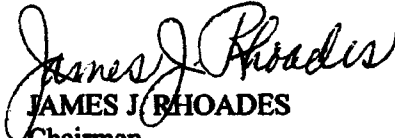
Dr. James P. Gallagher  
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Considering the substantial differences between tolled regulation #6-258 and current legislative proposals, it would be impossible for us to recommend approval of this regulation to the members of our committees. Rather, we would be forced to recommend disapproval pending the outcome of the legislative deliberations that will soon take place.

We ask that you consider these facts prior to calling up tolled regulation #6-258 for the Board's consideration. Given the current legislative landscape, we hope that you will agree to withdraw this regulation and so allow the General Assembly to continue its work on this critical issue.

Thank you in advance for your consideration.

Sincerely,

  
JAMES J. RHOADES  
Chairman  
Senate Education Committee

  
JESS M. STAIRS  
Chairman  
House Education Committee

Cc: The Honorable Eugene Hickok  
Mr. Robert Nyce ✓