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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

August 10, 2000

Peter H. Garland, Ph.D., Executive Director  
State Board of Education  
333 Market Street, 1st Floor  
Harrisburg, PA 17126

Re: IRRC Regulation #6-266 (#1986)  
State Board of Education  
Gifted Education; Special Education Service and Programs

Dear Dr. Garland:

The Independent Regulatory Review Commission approved your regulation on August 10, 2000. Our Order is enclosed and is available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,

  
John R. McGinley, Jr.

Chairman

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Enclosure

cc: Honorable Jess M. Stairs, Majority Chairman, House Education Committee  
Honorable Nicholas Colafella, Democratic Chairman, House Education Committee  
Honorable James J. Rhoades, Chairman, Senate Education Committee  
Honorable Allyson Y. Schwartz, Minority Chairperson, Education Committee  
Honorable Eugene W. Hickok, Jr., Secretary, Department of Education  
Nannette Kimmel  
William Penn

**INDEPENDENT REGULATORY REVIEW COMMISSION  
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 10, 2000

John R. McGinley, Jr., Chairman  
Alvin C. Bush, Vice Chairman  
Arthur Coccodrilli  
Robert J. Harbison, III  
John F. Mizner

Regulation No. 6-266  
State Board of Education  
Gifted Education; Special Education  
Services and Programs

On September 23, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education. This rulemaking amends 22 Pa. Code Chapters 14, 16 and 342. The proposed regulation was published in the October 3, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. On May 12, 2000, the Board withdrew this final-form regulation and resubmitted it to the Commission on July 13, 2000.

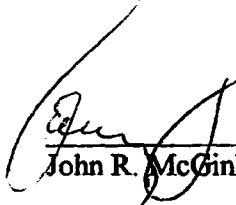
This regulation creates a new Chapter 16, Special Education for Gifted Students. The regulation separates the provisions relating to gifted education from the provisions relating to special education for children with disabilities.

We have determined this regulation is consistent with the statutory authority of the State Board of Education (24 P.S. §§ 13-1371, 26-2601-B – 26-2606-B) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

**BY ORDER OF THE COMMISSION:**

This regulation is approved.



  
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John R. McGinley, Jr., Chairman