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

June 12, 2000

Honorable Eugene D. Hickok, Jr., Secretary
Department of Education
333 Market Street, 10th Floor
Harrisburg, PA 17126

Re: IRRC Regulation #6-264 (#2039)
Institutional Preparation of Professional Educators

Dear Secretary Hickok:

On Monday, June 12, 2000, we discussed with your staff several drafting problems that we noted in our review of the regulations. These problems could be corrected or clarified through the tolling process. Therefore, we recommend that you toll the review process in order to consider the following revisions:

1. Subsection (b) of Section 354.2 (Purpose) of the proposed regulation is neither included nor deleted from the final-form regulation. Paragraph (b) should be included. If the new language is actually a new paragraph (a) and paragraph (b) is going to be retained, the strikethroughs should be removed from "(a)." If paragraph (b) is going to be deleted, it should appear with strikethroughs.
2. The term "professional educator program specific guidelines" is defined in the final-form regulation. However, instead of the defined term, variations of this term appear in three sections: Section 354.11 refers to "program specific guidelines"; while Sections 354.12(b) and (d) refer to "specific professional educator program guidelines." For consistency, these variations should be replaced with the defined term.
3. Subsection 354.11(2) includes a cross-reference to Section 49.14 (relating to approval of programs). Section 49.14 does not refer to approval of programs. It refers to approval of institutions.
4. Section 354.24(4) states "candidate plans candidate plan." This typographical error needs to be corrected.

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5. Section 354.33(1) states Code Chapter 4. The Department should either delete the word "Code," or change the reference to "22 Pa. Code, Chapter 4."

If the Department chooses to toll the review period, it must deliver written notice to both the standing committees and the Commission on the same day. The written notice must be delivered prior to any standing committee action on the regulation, or before the end of the standing committee's review period on June 26, 2000, whichever occurs first.

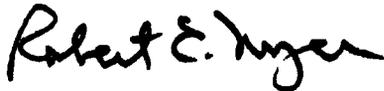
As required by Section 307.5 of our regulations, written notice must include:

1. A citation to the section(s) the Department is considering revising,
2. A description of the revisions being contemplated, and
3. An explanation of how the revisions will satisfy our concerns.

If the Department makes any additional changes, the Commission may object to tolling the review period. In that event, we will notify you and the standing committees within two business days after receipt of your tolling notice that the review period will not be tolled and the Commission will consider the regulation at our public meeting on July 13, 2000. If the Commission does not object, the review period will be tolled beginning with receipt of your letter. The Department has 30 days to submit the revised regulation or the regulation will be deemed withdrawn.

If you have any questions, please call me at 783-5506.

Sincerely,



Robert E. Nyce
Executive Director

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cc: Honorable James J. Rhoades
Honorable Allyson Y. Schwartz
Honorable Jess M. Stairs
Honorable Nicholas Colafella
Thomas A. Hutton, Esq.
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Peter Garland
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