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

April 5, 2001

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

Re: Regulation #6-270 (IRRC #2144)
State Board of Education
Special Education Services and Programs

Dear Dr. Garland:

The Independent Regulatory Review Commission approved the report containing the revised final-form regulation at its April 5, 2001 Public Meeting. Our Order is enclosed and is available on our website at 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,

Alvin C. Bush
Vice Chairman
wbg
Enclosure

cc: Honorable Jess M. Stairs, Majority Chairman, House Education Committee
Honorable Nicholas A. Colafella, Democratic Chairman, House Education Committee
Honorable James J. Rhoades, Chairman, Senate Education Committee
Honorable Allyson Y. Schwartz, Minority Chairperson, Senate Education Committee
Honorable Charles Zogby, Acting Secretary, Department of Education
Nanette Kimmel, Administrative Officer, State Board of Education

INDEPENDENT REGULATORY REVIEW COMMISSION

Commissioners Voting:

Public Meeting Held April 5, 2001

Alvin C. Bush, Vice Chairman
Arthur Coccodrilli, Dissenting
Robert J. Harbison, III, by Proxy
John F. Mizner

Regulation No. 6-270
State Board of Education
Special Education Services and Programs

On August 23, 2000, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education (Board). This rulemaking amends Chapter 14 and deletes Chapter 342 of 22 Pa. Code. The proposed regulation was published in the September 2, 2000 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on February 5, 2001.

At its March 8, 2001 public meeting, the Commission voted to disapprove the final-form regulation. On March 15, 2001, the Board notified the Commission of its intent to revise and resubmit the regulation. On March 20, 2001, the Department submitted its report containing the revised final-form regulation to the Commission.

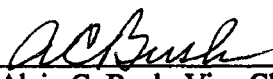
The regulation establishes procedures to identify students in need of special education services and describes requirements and procedures for delivery of such services. The regulation also incorporates federal regulations at 34 CFR Part 300 by reference. Promulgation of this rulemaking is necessary for the Commonwealth to continue receiving funds under the Federal Individuals with Disabilities Education Act.

We have determined this regulation is consistent with the statutory authority of the State Board of Education (24 P.S. §§ 1-101 - 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 now in the public interest.

BY ORDER OF THE COMMISSION:

The report containing the revised final-form regulation is approved.




Alvin C. Bush, Vice Chairman