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December 15, 2006

Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101-0333

Dear IRRC Members,

This letter addresses the Chapter 49 Certification Proposal published in the PA Bulletin on November 25, 2006. Two earlier letters to you (dated February 21, 2006 and May 4, 2006) from the Duquesne University School of Education focused on many of these ideas. This letter summarizes the comments of the Special Education Program Faculty at Duquesne University.

**Section 49.85 (b) Grade Level Limitations.** Faculty members continue to express concern regarding the lack of supporting research connecting the recommended certification changes to their impact on student learning. We are strongly opposed to any proposed grade level limitations for teaching certificates in Special Education that are not based on empirical evidence proving that the configuration has been demonstrated to 1). Result in the preparation of teachers that are indeed more highly qualified than in the current grade level configurations, and 2). Make a significant impact on improving the achievement of all students under teachers prepared in the proposed configurations. Only then will we have a grade level configuration for certifying teachers that meets the NCLB standard for basing educational decisions on "scientifically based research."

For example, the proposal for grade level limitations for special education certificates does not in any way address what is known about preparing quality special education teachers based on the Council for Exceptional Children (CEC) Standards for preparing beginning professional in the field. The grade level distinctions have no real meaning in regard to teaching students with disabilities. The CEC standards to which programs in PA respond are designated by Individualized General Education and Individualized Independence Curriculum. None of the program areas in the CEC standards are designated by grade level. Functional levels of performance are relevant when teaching students with disabilities – grade levels are an inappropriate and artificial means of designating limitations for special education teaching certification.

**The November 25, 2006 proposal now splits the special education instructional certificate into 3 grade-level based certificates. These divisions will fragment the preparation of special educators into meaningless grade level designations.** For example, how will a special education teacher in Grades 4-8 know how to deal with the reading challenges of a student who may read at the first or second grade level? They will not have a holistic understanding the developmental issues and needs of students who are not functioning at grade level expectations.

**Section 49.13 Accommodations for Diverse Learners.** While we fully support additional experiences in special education for all teacher candidates, we question the prescriptive nature of the proposed minimum of 270 hours of experiences on accommodations for diverse learners. In a typical credit hour structure, 1 credit equals 14-15 hours of contact with students. Duquesne University defines Unit of Credit as “the unit of credit is the semester hour. One semester hour of credit is granted for the successful completion of one hour a week of lecture or recitation, or at least two hours a week of laboratory work for one semester of 15 weeks”. While we can support the 9 credit / 126 hour equivalent for teaching accommodations for diverse learners, universities should ultimately maintain the authority to make decisions regarding the number of credits assigned to a learning experience in order to consider the number of credits in the overall program.

**However, the most critical aspect has yet to be determined. The critical aspect of this proposal remains to seen – what are the knowledge, skills and dispositions required in this area of instruction? Who will determine this content? Will it be individuals who have a mastery of the scientifically based research practice in the field of special education? What will the requirements be for evaluating the candidates’ mastery of the content and performance of the skills? These questions must be answered before a decision is made to approve this proposal.**

**Section 49.13 Accommodations for Diverse Learners -“Highly Qualified” Faculty Resources.** We question the faculty resources available to implement the Special Education proposal. Teacher preparation programs across the state will be competing for a limited pool of qualified Special Education instructors. There has been a nationally documented lack of special education candidates for faculty positions for several years. Our fear is that unqualified faculty will be teaching the courses in accommodations. Universities and colleges that do not have special education faculty will be forced to implement the diversity aspect of the proposed standards without qualified faculty. This raises a question as to the integrity of the knowledge, skills and dispositions that will be taught and this will seriously compromise the intent of IDEIA, NCLB and the Gaskin decision. In other words, the outcomes may not live up to the expectation that all teachers will be prepared to address the learning needs of students with challenges and language differences based on scientifically based research practice. Special Education faculty will be stretched beyond their capacity to provide the required courses to Instructional I candidates, Instructional II educators and for Act 48 requirements.

**At Duquesne University, the Special Education faculty of 6 will have to deliver 9 credits of instruction to all undergraduate education majors (470), all graduate-level Elementary, Early Childhood and Secondary education majors (212) and to teachers who are returning for Instructional II or Act 48 credits. This is addition to teaching all required courses for the three proposed special education certification tracks (PreK-3, grades 4-8 and secondary). It is not humanly possible to deliver all of these credit requirements focusing on diverse learners in a meaningful manner focused on quality outcomes. The intent of the proposed regulations may never be fully realized as expected by the parents and children of**

**the Commonwealth of Pennsylvania given the availability of qualified special education faculty to teach the required credit hours.**

**SUMMARY:**

We, the faculty of Duquesne University Special Education Program, support:

- A State Board of Education recommendation for a requirement for standards-based guidelines on accommodations and adaptations for diverse learners in an inclusive setting but not prescriptive language around the number of credit hours.
- Basing a Special Education teaching certification on the CEC standards for excellence in preparing teachers to teach in the Individualized General Education and Individualized Independence Curriculum within an appropriate developmental configuration. .
- The proposed Special Education Program Specialist certificates as additions to the standard Special Education certificate as an effective way to prepare teachers with specialized knowledge and skills. These should be completed as post-baccalaureate programs.
- Applying the requirements for “highly qualified teachers” to those individuals teaching the special education courses on diverse learners,
- Giving consideration to the human and financial resources that will be needed to hire special education faculty to teach the additional course credits in special education.

Respectfully submitted,



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