

Chester County Intermediate Unit

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July 16, 2007

Mr. Jim Buckheit
Executive Director
State Board of Education
333 Market Street
Harrisburg, PA 17126-0333

Dear Mr. Buckheit:

On behalf of the Chester County Intermediate Unit (CCIU) and the twelve (12) School Districts/LEAs it serves, I submit the following comments concerning the proposed regulations for Chapter 14: Special Education Services and Programs published in the June 30, 2007 edition of the Pennsylvania Bulletin.

It is evident that considerable thought and effort has gone into developing the proposed regulations. We applaud the State Board's decision to revise their draft proposal in such areas as the use of restraints (14.133(c)(2)) and the delineation of definitions for what constitutes special education programming (14.131(a)(1)).

We also endorse maintaining the 60 school day time frame for conducting evaluations and reevaluations of school aged students (14.123(b) and 14.124(b)).

We continue to have serious reservations about two important sections in the proposed regulations, however. They are as follows:

Section 14.105 Personnel

The requirement to have instructional paraprofessionals meet the educational standards by July 1, 2010 of having completed at least two years of post-secondary study or possess an Associate Degree or higher will have very significant financial implications for LEAs. We recommend that a "rigorous standard of quality as demonstrated through a formal state or local academic assessment...." should be the sole preparation requirement for instructional paraprofessionals.

Filling instructional paraprofessional positions is among the most challenging tasks facing LEAs today. Requiring an associate degree or two years of post-secondary education will make the challenge more daunting without ensuring the personnel are

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better able to fulfill the requirements of these jobs. Additionally, LEAs will have to raise salaries in order to attract individuals with this level of education to apply for these already difficult to fill positions.

A recent survey of local LEAs in Chester County indicates that only 4% of the current instructional paraprofessionals meet the educational qualifications called for in the proposed regulations.

While acknowledging that current paraprofessionals will be "grandfathered" under the proposed regulations, the long term implication for LEAs, if this proposed regulation is adopted, will be staff shortages and millions of dollars in increased salaries and benefits.

Section 14.105 Caseload for Professional Development

Our most serious reservation about the proposed regulations concerns this proposal, specifically in regard to the Level IV Services category.

The proposed Level of Services chart simplifies the current Chapter 14 caseload chart that involves delineation of both types of intervention (Learning Support, etc.) and type of service (Itinerant, etc).

The first three Levels of Service essentially replicate the current Chapter 14 caseload requirements but in a more simplified, easier to understand format. The proposed Level IV Services category, however, uniformly restricts the caseload to a limit of eight students, and that is what concerns us.

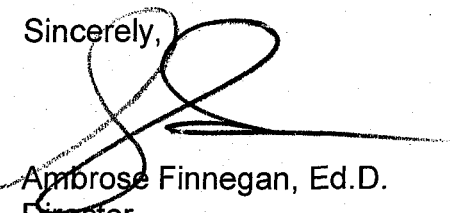
This is a drastic alteration of current caseload requirements which provide a range from 8 to 15 students depending upon the severity of student needs. LEAs have long adhered to the current Chapter 14 caseload requirements, and have based their special education plans upon these caseloads.

LEAs will incur draconian financial repercussions if required to meet the Level IV Services category being proposed. In Chester County alone, the requirement to meet the proposed Level IV Services requirement will cost districts minimally more than \$2.5 million dollars. These costs, moreover, would be prompted by a requirement that is not mandated by the Individuals with Disabilities Act (IDEA).

With the support and concurrence of the twelve Chester County School Districts, it is strongly recommended that the caseload requirement for the Level IV Services category be amended to reflect a caseload of 8-15 depending upon the severity of the students' disabilities. Section 14.1505(e)(2) Calculation of Caseload could be revised to delineate what "severity of the students' disability" means. We recommend that the description continue the current Chapter 14 caseload requirements: for Life Skills Classes up to 12 students, etc.

Thank you for the opportunity to present these comments.

Sincerely,



Ambrose Finnegan, Ed.D.
Director
Student Support Services

AF/II

cc: Dr. Joseph O'Brien, CCIU Executive Director
Chester County School District Superintendents
Chester County Special Education Advisory Committee
Senator Andrew Dinniman
Representative Barbara McIlvaine-Smith
Representative Duane Milne
John Tommasini, Bureau of Special Education

