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**2618**

July 25, 2007

Ms. Michaela A. Totino  
Regulatory Analyst  
Independent Regulatory Review Commission  
333 Market Street, 14th Floor  
Harrisburg, PA 17101

RECEIVED  
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INDEPENDENT REGULATORY  
REVIEW COMMISSION

RE: 22 PA code Chapter 14

Dear Ms. Totino,

I am the parent of a thirteen-year-old boy entering seventh grade who has received special education services in the Commonwealth of Pennsylvania in an inclusive setting throughout his educational career. I am very active in the inclusive education community providing advocacy services to parents and serving as a member of the LRE Advisory Panel, PA Education for All Coalition and as President of the Board of Directors of the Disability Rights Network. I would like to thank the State Board of Education for the opportunity to provide comments regarding the proposed amendments to Chapter 14 relating to special education services and programs.

I strongly support the amendments to the regulations clarifying the "least restrictive environment" a requirement stated in IDEA as well as in the Gaskin's Settlement Agreement. It is important that Chapter 14 specifically lay out the applicable court cases (Oberti, Girty) setting the standards for "least restrictive environment" for Pennsylvania's educators to follow.

I am very concerned that the proposed changes regarding physically coercive techniques (22 PA Code §14.133) are even less protective of our children than the current law. Our Commonwealth must advocate for the use of positive behavioral approaches and our law must set a standard of protection for our children. Please eliminate the provision that defines a restraint as something that lasts at least 30 seconds in a row and prohibit the use of prone (face-down) restraints, which are known to cause death. In addition, please ensure that parents are notified and have a chance to meet with school personnel whenever a restraint has been used.

Thank you again for the opportunity to offer input. I encourage you to retain the LRE language in the regulations and to revise the restraint provisions to use positive behavioral support language throughout and eliminate the use of prone restraints as well as the 30-second restraint language.

Sincerely,

