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INDEPENDENT REGULATORY
REVIEW COMMISSION

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JUL 30 2007

PA. STATE BOARD
OF EDUCATION

Ms. Linda Rainey
7717 Lakewood Dr.
Fairview, Pa. 16415

July 26, 2007

Ref: ID#6-30

Mr. Jim Buckheit
Executive Director
Pennsylvania State Board of Education
333 Market St.
Harrisburg, Pa. 17101

Dear Mr. Buckheit:

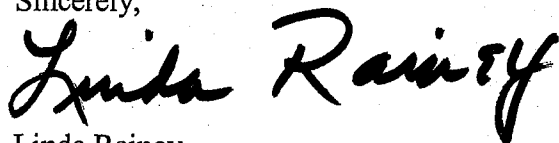
As a parent of two children who received special education services in Fairview, Pennsylvania for twenty years and as a parent/advocate, I submit to you my suggestions for improvement on the proposed regulations.

- Please prohibit prone restraints. They are dangerous and deadly. They become totally unnecessary when the schools implement the practice of using positive behavioral supports instead. The latter should be listed on the IEP.
- Eliminate the provision that defines a restraint as something that lasts at least 30 seconds in a row. Also make it mandatory that schools inform parents of the restraint, meet with them, and issue a detailed incident report starting with antecedents and the staff responses along the way.
- Student evaluations should be conducted within 60 calendar days, **not** school days. There are limited "windows of opportunity" available to children and to force them to wait any longer would cause harm.
- Eliminate the two-tier appeal system in Special Education due process procedures. Put some quality into a single tier system.
- The Dispute Resolution Office should be funded and operated separate from the Dept. of The Education in order to eliminate a conflict of interest. Families need all the **unbiased** help they can get.

- Support the new provision that clarifies the rules on Least Restrictive Environment. Nothing is more damaging to a child's self esteem than segregating him or her from their peers.
- The burden of proof in a Due Process proceeding should be on the schools not on the parents.

Thank you for your diligent consideration in this matter.

Sincerely,

A handwritten signature in black ink that reads "Linda Rainey". The signature is written in a cursive, flowing style.

Linda Rainey

Cc: Mr. Arthur Coccodrilli
Chairman of the Senate Education Committee
Chairman of the House Education Committee