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INDEPENDENT REGULATORY
REVIEW COMMISSION

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PA. STATE BOARD
OF EDUCATION

The State Board needs to reconsider language under section 14.145. I support both the requirements of IDEA and understand the Third Circuit Court cases that have impact on the way we support students. I would suggest that changes be made to subparagraphs (1) and (3) because current draft language goes beyond IDEA and court decisions. Here is what I recommend.

- (1) To the maximum extent appropriate, children with disabilities must be educated with children who are nondisabled.
- (3) A student with disabilities shall only be removed from a regular education setting if the student cannot derive meaningful educational benefit from specially designed instruction and supplemental aids and services provided pursuant to an appropriate IEP.

With the above being said, there also needs to be a requirement that school entities assign a special education teacher to assist the regular education teacher at all times whenever 50% or more of the students in a regular education class are students with disabilities.

Please consider my suggestions

David A. Loeffler