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S C H O O L   D I S T R I C T

Fran Serenka
Superintendent of Schools

600 Russellwood Avenue
McKees Rocks, PA 15136

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INDEPENDENT REGULATORY
REVIEW COMMISSION

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PA. STATE BOARD
OF EDUCATION

Mr. James Buckheit
Executive Director of the State Board of Education
Pennsylvania Department of Education
First Floor
333 Market Street
Harrisburg, PA 17126

Dear Mr. Buckheit:

My name is Fran Serenka, and I am currently the Superintendent of Sto-Rox School District.
Thank you for this opportunity to provide my reaction to the Proposed Chapter 14 Regulations
for Special Education as posted June 6, 2007 on the Pennsylvania Department of Education
website, as well as subsequent drafts.

After careful review of the Proposed Regulations, I would like to share the following comments
and recommendations for your consideration:

Chapter 14

1. **14.105 Personnel**
   (a) (1) (2) (3) (4)

   Comments:

   The qualifications for paraprofessionals listed in (1) and (2) are unnecessarily rigorous
   for most of the assistants in Special Education to meet the needs of students they serve.
   This is especially true of assistants serving students with more severe learning needs.

   - The qualifications in (1), (2), (3), (4), addressing academically oriented students
     exceed those listed in NCLB, and are unnecessary for assistants serving students
     with more severe limitations. For example, many assistants work with students
     on toileting, feeding, dressing, self-help, positioning, etc.; which do not require
     post-secondary education levels of education. Individuals with a high school
     education can adequately and safely learn and apply these skills.

Teachers develop and monitor the IEP's and lesson plans for each student in their care. Thus, assistants follow the direction of a trained, certified, highly qualified professional and do not need to have postgraduate course work to perform their duties.

- The term "Instructional Paraprofessionals" used in the proposed regulations lead one to believe that it applies to paraprofessionals who are assisting with strictly *academic* skills, but the regulations as proposed apply to all paraprofessionals, regardless of their job responsibilities. This apparently also pertains to Personal Care Assistants, who often do not need higher education to perform their duties.

- In order to hire paraprofessionals that meet (1) or (2), school entities will have to a) significantly increase compensation to attract and maintain people with this level of education, and b) school entities will have to expend considerable resources or training course credit reimbursement. This requirement has a significant financial impact on school districts.

- School entities experience enough difficulty keeping assistant positions filled. Requiring applicants to meet the criteria outlined in (1) and (2) will make it even more difficult to fill paraprofessional positions. Repeated and persistent vacancies in paraprofessional positions negatively affect the programs for students.

Recommendations:

1. Change the wording in (a) to specify that paraprofessionals need "to meet the qualifications outlined in (1), (2), (3), or (4)," thus removing the word "AND" between (1), (2), (3), and (4).

2. Eliminate the word "Instructional" in (a), or define exactly what is meant by "Instructional paraprofessional."

3. Combine (3) and (4) and add the following wording - "Paraprofessionals who have received or who, in the future, receive a letter from PDE stating that they have met the criteria established through PaTTAN for The Paraeducator Competency Checklist have met the qualifications in this section.

2. **14.105 Personnel**
   <u>Definitions</u> – Case Management, Replacement Services, Level I, II, III, IV Services

   EDUCATIONAL PLACEMENT
   14.142 Caseload for special education (chart)

   Comments:

   - <u>Learning Support</u> – Proposed caseload maximums of 20 Resource and 15 Part-Time will significantly impact entities who have several classes at the secondary level where teachers are assigned to teach by subject area. These teachers could actually teach 60 or more part-time students in a day, but only be responsible for 20 IEP's when the IEP responsibility is split between all Learning Support teachers.

     These caseload numbers will cause districts, in many cases, to hire additional teachers, where with the current standards, students are being instructed appropriately with current staffing patterns. The additional expense, lack of highly qualified teachers, and finding adequate space are very real concerns for districts under the proposed regulations.

   - <u>Multiple Disabilities Support</u> – Proposed caseload maximums of 8 part-time and 8 full-time will cause school entities to hire additional teachers and assistants, and open new classrooms. Finding highly qualified, certified staff is very difficult in our area, as is finding additional classroom space, where student populations have been increasing steadily.
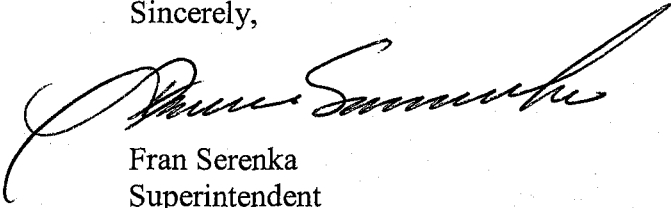
     Reducing the caseload to 8 will not enhance the educational experience that the students will receive, nor significantly increase the achievement levels of these students.

   Recommendations:

   1. Retain the caseload/class size charts and definitions currently in place in Chapter 14, until such time as a better system is developed that will increase the educational programs for students and not adversely affect school districts financially and facility-wise.

   2. If changes are considered for the <u>Multiple Disabilities Support</u> classes, then increasing the caseloads to 12 part-time and 12 full-time would be a workable figure to appropriately educate these students.

Again, thank you for this opportunity to provide input to the proposed Chapter 14 Regulations for Special Education. We appreciate the efforts being made to solicit comments from all parties, as well as the time and effort that has gone into making the proposed regulations a tool to provide an appropriate education for all students.

Sincerely,

Fran Serenka
Superintendent

FS/mh