

2618



The Voice of Autism.

ASA Pennsylvania
4371 Northern Pike
Monroeville, Pa. 15146
Phone: 412.856-7223
Fax: 412.856.7428

INDEPENDENT REGULATORY
COMMISSION

2007 NOV -2 AM 9:12

RECEIVED

October 29, 2007

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

Dear Mr. Buckheit:

We thank you, the entire Board of Education, Mollie O'Connell Phillips, Dr. Gerald Zahorchak and Dr. Linda Rhen for allowing us to participate this past year in the roundtable discussions and submit recommendations regarding revisions to Chapter 14.

We understand that the "final" draft of Chapter 14 will be presented Thursday, November 1 at your committee meeting, and we respectfully request consideration of an autism-specific issue requiring **immediate** attention. This issue has not received any commentary by the board previously and has not been included in any prior drafts.

Children with autism have social delays and behaviors that can put them at grave risk for inappropriate disciplinary actions, such as repeated suspensions. Disability manifestations can result in criminal charges and incarceration. The following requirements will reduce the likelihood of damaging disciplinary measures:

*require a functional behavior assessment and IEP meeting anytime a student is referred to police (14.133)

*require inclusion of autism as a category where any removal from education for a disciplinary reason is a change in placement under 14.143 (the same as the category as mental retardation)

*require that parents **must** be invited to any team training or consultations involving behavior support planning (14.133)

*require disability-specific training in the area of behavior supports for all staff (14.133)

*require access for BHRS (behavior and mental support services and staff) for schools, per the BHRS plan (14.133)

These are recommendations we've made since the roundtable discussions started in December, 2006. There has been no attention paid to these issues nor commentary from the board as to why these have not been included.

We urge you to discuss this openly before the final draft of Chapter 14 is approved. We cannot emphasize enough the negative impact on school children with autism if these recommendations are not included.

It is important for the Pa. State Board of Education committee to know that these recommendations were generated in 2003 by the Education Sub-committee of the Pa. Autism Task Force, and have subsequently been endorsed by the entire task force, which was co-chaired by Dennis O'Brien, Speaker of the House of Representatives.

It is also important to note that Speaker O'Brien has authorized and empowered the ASA-PA Special Education workgroup to meet with the department as well as present these recommendations to the Board of Education during the special education regulation revision process.

Thank you for your time, Mr. Buckheit. We look forward to re-emphasizing this urgent matter at your committee meeting on November 1.

Very truly yours,



For the ASA-PA Special Education Workgroup

Stacey P. Groder, Felicia Hurewitz, Ph.D., Mary Maurer, Luciana Randall, Daniel Torisky, Sabra Townsend

- cc: Speaker Dennis M. O'Brien
- Sandy Williams
- Mollie O'Connell Phillips
- Dr. Gerald L. Zahorchak
- Rep. Barbara McIlvaine-Smith