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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

May 15, 2008

James Buckheit, Executive Director  
Pa. State Board of Education  
333 Market Street, 1<sup>st</sup> floor  
Harrisburg, PA 17126-0333

Re: Regulation #6-306 (2618)  
Pa. State Board of Education  
Special Education Services and Programs

Dear Mr. Buckheit:

In our review of this regulation, we identified two terms that differ from the statutes. We discussed these issues with you on May 14, 2008. Based upon this conversation, we recommend that you consider tolling the review period to make the following two changes:

1. Retain the existing definition of "early intervention services" found in 22 Pa. Code Section 14.101 which states "As defined in the act."
2. Amend the phrase "qualified educational interpreter," as found in what will be Section 14.105(b)(1)(ii), to state "qualified sign language interpreter" to be consistent with the Sign Language Interpreter and Transliterator Registration Act (63 P.S. §§ 1725.1-1725.12).

If you choose to toll the review period, the Board must deliver written notice to both the Standing Committees and the Commission on the same day. The written notice must be delivered before either Committee takes action on the regulation, or before the end of the Committees' review period on June 4, 2008, whichever occurs first.

As required by Section 307.5 of our regulations, written notice must include:

1. A citation to the section(s) the Board is considering revising,
2. A description of the revisions the Board is considering, and
3. An explanation of how the revisions will satisfy the concerns listed above.

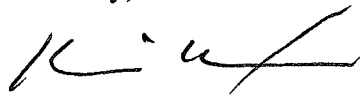
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If your written notice includes revisions that are beyond the scope of our recommendations, the Commission may object to tolling the review period. If we object, we are required to notify you and the Committees within two business days after receipt of your tolling notice. If the Commission objects to your tolling notice, the review period will not be tolled and your regulation will be considered by the Commission at our public meeting on June 5th, 2008. If the Commission does not object, the review period is tolled for up to 30 days beginning with receipt of your letter and ending on the day you resubmit the regulation.

If the Board chooses to toll the regulation and also wants to keep this regulation on our June 5, 2008 public meeting agenda, the resubmittal of the tolled regulation must occur no later than May 20, 2008. We also advise that the Board can submit the Board's response to this letter and the revised regulation simultaneously.

Please contact me if you have any questions.

Sincerely,



Kim Kaufman  
Executive Director  
wbg  
Enclosure

cc: Honorable James J. Rhoades, Chairman, Senate Education Committee  
Honorable Ralph J. Musto, Minority Chairman, Senate Education Committee  
Honorable James R. Roebuck, Jr., Chairman, House Education Committee  
Honorable Jess M. Stairs, Minority Chairman, House Education Committee  
Robert A. Mulle, Esq., Office of Attorney General  
Greg Dunlap, Esq., Office of General Counsel