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From: Alan Fiermonte [alan@down2earthadventures.com]

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To: IRRC

Cc: jroebuck@pahouse.net; jstairs@pahousegop.com; jrhoades@pasen.gov; musto@pasen.gov; Jim Buckheit; 00statbd@psupen.psu.edu

INDEPENDENT REGULATORY
REVIEW COMMISSION

Subject: public comment on Regulation 6-307; Title 22, Chapter 16 - Special Education for Gifted Students

Mr. Arthur Coccodrilli, Chairman
Internal Regulatory Revision Commission (IRRC)
333 Market Street, 14th Floor
Harrisburg, PA 17101

Re: public comment on Regulation 6-307; Title 22, Chapter 16 – Special Education for Gifted Students

Dear Chairman Coccodrilli,

I am a parent and a gifted education advocate. If the final form revision of PA 22, Chapter 16 regulation is not temporarily and voluntarily withdrawn beforehand by the State Board of Education for a few additional refinements, I urge you and the other Commissioners to disapprove the proposed regulation, 6-307, at the scheduled IRRC Public Meeting on September 18th, 2008. The proposed regulation does NOT substantively address:

- solid implementation frameworks and structures, especially with compliance and compliance management, by the Pennsylvania Department of Education (PDE);
- creation of a non-ODR complaint management and resolution process and an Gifted Ombudsman function for parents and educators;
- specific PDE staff and training resources to be tasked for gifted-specific activities and monitoring beyond the 1/3rd of an FTE in a single Bureau;
- a timeline and budget for the PDE to create these staff, structures and processes;
- specifying additional, critical definitions such as “teacher of the gifted”;
- and/or
- resolving inconsistencies, including mutually-exclusive requirements, which are found within the proposed regulation.

The proposed revisions do not represent a fundamental, substantive improvement for the regulated community of 70,000+ kids. Most important the regulation does not authoritatively engage or resource the PDE to be a better and more consistent enforcer.

In my opinion, the State Board of Education should withdraw the proposed regulation and address these issues, specifically clarifying key aspects of the regulation and considering the willingness and ability of the PDE to accept its role in a timely fashion. This could be done in an expedited fashion, if the State Board of Education so chooses.

Absent any action taken by the State Board of Education which meaningfully addresses the concerns listed above, I recommend the Internal Regulatory Review Commission disapprove the proposed final regulation #6-307, in the interest of the well-being of the regulated community.

Sincerely,

Alan Fiermonte
Parent in Colonial SD, Montgomery County PA
& and gifted education advocate

9/4/2008

cc:

State Board of Education, Mr. James Buckheit, Executive Director
Hon. James Rhoads, Chairman, Pennsylvania Senate Standing Committee on Education
Hon. Raphael Musto, Minority Chairman, Pennsylvania Senate Standing Committee on Education
Hon. James Roebuck, Chairman, Pennsylvania House of Representatives Standing Committee on Education
Hon. Jess Stairs, Minority Chairman, Pennsylvania House of Representatives Standing Committee on Education