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From: Help
Sent: Friday, September 12, 2008 11:43 AM
To: IRRC; Gelnett, Wanda B.; Wilmarth, Fiona E.
Subject: FW: IRRC Website - New Message

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Comment letter

-----Original Message-----

From: Independent Regulatory Review Commission [mailto:No-Reply@irrc.state.pa.us]
Sent: Thursday, September 11, 2008 5:05 PM
To: Help
Subject: IRRC Website - New Message

**IRRC****Independent Regulatory Review Commission**

A new message has arrived from the IRRC Website

First Name: Jane**Last Name:** Clarenbach**Company:** National Association for Gifted Children**Email:** janec@nagc.org**Subject:** Comments on Proposed Regulations 6-307 (special education of gifted students)**Message:**

Dear Chairman Coccodrilli: The National Association for Gifted Children (NAGC) submits these comments in connection with proposed regulations (6-307) under 22 Pennsylvania Code Ch. 16 related to the special education of gifted students. NAGC, the nation's largest organization advocating for the needs of gifted and talented students, has long taken the position that gifted and talented students have special education needs that must be addressed in order to maximize their potential. Pennsylvania, unlike the majority of states, recognizes gifted students as exceptional learners, granting the students and their families significant rights under state law that facilitate a challenging and appropriate education. We commend you for your commitment to the state's 70,000 gifted learners and their families. NAGC writes to raise a general concern that the proposed regulations do not include sufficient detail to ensure that education professionals charged with implementing the regulations can relate them to the unique characteristics and learning needs of gifted and talented students. We recommend that the IRRC request that the Pennsylvania State Board of Education make revisions to the proposed regulations. One of the challenges of including gifted students among the larger population of exceptional children is that the teachers of these students are trained in specialty areas with significant philosophical differences. Special education and gifted and talented education are, for the most part, mutually exclusive teacher preparation programs. Rarely are teachers and administrators trained in both specialty areas. Special education strategies and procedures typically address children's deficits in developing educational services while decisions regarding gifted education programs and services focus on student strengths and abilities. NAGC encourages the Pennsylvania State Board of Education to ensure that this deficit vs. strength dichotomy does not result in decisions negatively impacting expectations for gifted student achievement. For example, the question of what constitutes a meaningful education benefit in a gifted student's education plan is not discussed in the law or regulations.

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Although “meaningful benefit” is a term used by special education professionals on behalf of special education students, it is not a term used in gifted education, which could lead to confusion for families. Also, it is not necessarily true that special education-trained teachers with gifted students in their classrooms would be also well-trained in the characteristics of gifted learners. As a result, their understanding of “meaningful benefit” as it applies to gifted students in a gifted education plan may lead to inappropriate expectations for gifted children. It is reasonable to expect that the meaningful benefit must be significant and must be gauged in relation to the child's potential. Clearly, a gifted student well able to learn more than a year’s material in one school year requires a very different learning plan from a child covered by special education law who struggles to meet grade level expectations. However, the manner in which above-grade level ability is incorporated in a gifted education plan will vary greatly, and inequitably, without guidance from the state. We urge the State Board of Education to avoid any confusion created by a misunderstanding or lack of awareness of how the abilities and unique learning needs of gifted children affect learning by defining meaningful education benefit in terms of expected learner outcomes. Alternately we recommend specifically including language in the regulations that directs districts to include a student’s current performance level, ability, and intellectual potential when developing a plan that will yield meaningful education benefits and student progress. For similar reasons, in order to ensure that gifted students from disadvantaged backgrounds and diverse populations are identified and served, given that their abilities may be difficult to detect, NAGC recommends that the regulations clearly state that a district’s Gifted Multidisciplinary Team includes an educator with background and training in gifted and talented education. Thank you for the opportunity to comment on the proposed regulations; we urge revisions that would ensure that gifted students receive an appropriate education, as envisioned by Pennsylvania state law. Sincerely, Jane Clarenbach Director of Public Education National Association for Gifted Children