

A 2635

**From:** Independent Regulatory Review Commission [No-Reply@irrc.state.pa.us]  
**Sent:** Sunday, September 14, 2008 9:30 PM  
**To:** Help  
**Subject:** IRRC Website - New Message



# IRRC

## Independent Regulatory Review Commission

A new message has arrived from the IRRC Website

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**Subject:** Oppose IRRC 2635, a.k.a. Chapter 16

**Message:**

Commissioners: I am the parent of a gifted child in Camp Hill School District, a member of the Pennsylvanians for the Education of Gifted Students, and a lifetime member of the Pennsylvania Association of Gifted Education. I write to you to encourage you to disapprove IRRC #2635. There are several reasons to do this, the first of which is a list of multiple internal flaws. • The regulations are not clear in expressing what acceleration means, particularly that it includes whole-grade acceleration, commonly referred to as "grade skipping." If it were clear, districts would not have policies expressly forbidding grade skipping. The University of Iowa recently performed a meta-analysis on acceleration in a report entitled A Nation Deceived. That report's number one point is, "1. Acceleration is the most effective curriculum intervention for gifted children." It's also the cheapest and has the best social outcomes. With that in mind, the language must be clarified to indicate that acceleration is required as an option and is not an either/or choice vs. enrichment. This change puts no additional financial burden on districts. • The regulations are not clear in expressing what enrichment means, which leaves districts free to provide meaningless games to students rather than activities that tie to the core curriculum. • The regulations are not clear in expressing what "present levels of educational performance" means. If they were, the Commonwealth Court decision mentioned below (as well as a multitude of due process cases) never would have come to pass. • The regulations are not clear in expressing what "meaningful benefit" means. A reasonable baseline definition would be quite easy to author. "Demonstrated learning beyond the core curriculum in pace and scope" is a good start. The three greatest reasons to disapprove the regulation indicate that it will not benefit the regulated community. • The first reason is that it fails to require beneficial actions that are free to districts. o Acceleration as listed above. o Requiring gifted coordinators to have some sort of training in gifted education. Specialized training is required for teachers of the learning disabled, and research shows that gifted students taught by instructors with specialized training outperform those taught by untrained staff. This makes sense, puts the onus on universities, and costs school districts nothing. o Requiring schools to screen students for giftedness starting in K (many wait until the end of 2nd grade). o Requiring schools to accept an evaluation by an independent licensed psychologist. This, in some cases, would actually save the district the cost of the evaluation. o Requiring schools to provide knowledge-based graduation credit, specifically credit for classes completed prior to entering high school. • Second, the regulation does not specify monitoring based on content. The current procedures amount to little more than busywork with a rubberstamp at the end. Compliance monitoring could easily and cheaply be placed in the hands of the parents – surveymonkey.com costs \$200 per year for unlimited responses. It's so easy to use that any civil servant could create a meaningful compliance survey within a week. That survey could be offered to all parents of gifted students in the state for a comprehensive annual snapshot for 0.3 cents per gifted student per year. If the PDE cannot budget the \$200, I will provide it, thus making it free. • The third reason is because the community is currently de facto unregulated. When parents can win a decision in Commonwealth Court ordering their district to provide "present levels of educational performance" (September 2007 against North Penn School District by Judge McGinley), and the school still does not comply by the end of the school year, there is no regulation. Schools are above the law, and that is scary. The problem is that the regulation does not name an accountable party (or require the district to do so), and there are no specific repercussions for that party. Until the cost of non-compliance is made greater than the cost of following the regulations, schools will rationally choose non-compliance. Also, until that time, we are all engaging in an elaborate charade which will have no real effect. A BEC has failed in the past, so we can assume that schools will ignore court decisions based on a new BEC, regardless of its author. Awarding "compensatory education" is a farce because most children attending school and involved in activities have no time to take advantage of it. Schools need to be accountable financially and individuals need to be accountable in terms of their certification. Anything less is a sham. PA's gifted students need a stronger regulation. Gifted students suffer an increased incidence of stress, low self-esteem, underachievement, perfectionism, anxiety, and social isolation. In case there is any doubt about the cause-and-effect relationship between unmet learning needs and these risks, consider one of the conclusions of The Social and Emotional Development of Gifted Children (page 287). "Research indicates that many of the emotional and social difficulties gifted students experience disappear when their educational climates are adapted to their level and pace of learning." It is unconscionable to fail to require districts to take free actions that will prevent harm to a group of students. I hope that you will place the needs of the students above the wishes of special interests. Sincerely, Raymond F. Givler

9/16/2008