

#2635

# EMBARGOED MATERIAL

RECEIVED

**From:** Help  
**Sent:** Tuesday, September 16, 2008 1:21 PM  
**To:** Wilmarth, Fiona E.; Schalles, Scott R.; IRRRC; Gelnett, Wanda B.  
**Subject:** FW: IRRRC Website - New Message

2008 SEP 16 PM 2:30

INDEPENDENT REGULATORY  
REVIEW COMMISSION

Comment from Help inbox. After blackout.

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

**From:** Independent Regulatory Review Commission [mailto:[No-Reply@irrc.state.pa.us](mailto:No-Reply@irrc.state.pa.us)]

**Sent:** Tuesday, September 16, 2008 12:59 PM

**To:** Help

**Subject:** IRRRC Website - New Message



# IRRC

## Independent Regulatory Review Commission

A new message has arrived from the IRRRC Website

**First Name:** Joseph

**Last Name:** Brouch

**Company:**

**Email:** [jebrouch@verizon.net](mailto:jebrouch@verizon.net)

**Subject:** Oppose IRRRC #2635

**Message:**

My name is Joseph Brouch. I have two identified gifted students in the North Penn School District. I am a member of the state organization PAGE and Co-President of our local affiliate, North Penn Association for Gifted Education (NPAGE). I have spent countless hours struggling with my district to provide an appropriate education to my children and other students in the district. Please do not approve IRRRC #2635. This regulation revision is not in the best interest of the regulated community. 1. The regulation still fails to provide a real program to comprehensively monitor and enforce compliance. The lack of detailed compliance rules, lack of real financial repercussions, and utilizing a BEC did not work in the past. 2. The regulation fails to provide necessary definitions and explanations such as: a) Present level of educational performance – I do not understand the explanation that this is a “term of art” and that it is clearly understood. During a committee meeting our Director of Student Services, who is responsible for 750 gifted students, said that there is a lot of confusion across the state as to what PLEP’s were. This was a year after the district had lost due process/appeal panels/Commonwealth court decisions specifically stating how the district has failed to provide PLEP. b) Teacher of the Gifted and caseload – Teachers of special needs students should have special training or certification. One of our middle school “gifted teachers” has a full regular class schedule and a caseload of 79 GIEP students. The other two middle schools are covered by a single teacher with a caseload of 164 GIEP students. The district’s explanation is that these teachers work with the regular education teachers to spread out the work load. The reality is that almost all of our middle school gifted students receive no attention or individualization of their education program. c) The determination of Giftedness varies from district to district – sometimes from building to building within the district. Also, proposed 16.32(c)(4), (formally 16.32(d)(4)), still states that determination of giftedness will be made at a GIEP team meeting – which contradicts proposed 16.22(i). 3. The State Board of Education fails to take

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into consideration the increased legal costs to the regulated community if it fails to provide clarification and real enforcement. Thank you for your consideration, Joseph Brouch