

# 2635

EMBARGOED MATERIAL



## PENNSYLVANIA CATHOLIC CONFERENCE

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September 17, 2008

Mr. Arthur Coccodrilli, Chairman  
Internal Regulatory Revision Commission  
333 Market Street, 14<sup>th</sup> Floor  
Harrisburg, PA 17101

RECEIVED  
2008 SEP 17 PM 12:23  
INDEPENDENT REGULATORY  
REVIEW COMMISSION

Re: Public Comment on the proposed Regulation 6-307; Title 22, Chapter 16 – Special Education for Gifted Students

Dear Mr. Chairman,

I am Director of Education for the Pennsylvania Catholic Conference (PCC). The PCC is the public affairs agency of the Catholic dioceses located in the Commonwealth. As the Director of Education I represent approximately 165,000 Catholic school students. In addition, there are another 100,000 students in private and nonpublic schools not affiliated with the Catholic Church. Many of these 265,000 students are gifted students.

The PCC requests that the State Board include all nonpublic school students in the Commonwealth in its proposed changes to Regulation 6-307; Title 22, Chapter 16 – Special Education for Gifted Students. The Public School Code section 1371(2) requires public school districts to identify each “child with exceptionalities” within the district including both public and nonpublic students.

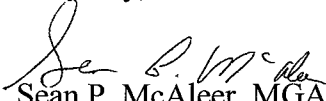
Section 1372(2) of the School Code compels the State Board to provide for the adequate education and training of “all” exceptional children. There is no statutory basis for any determination by the State Board to exclude gifted students in nonpublic schools from the opportunity to receive gifted education services from either school districts or intermediate units, while they maintain their enrollment in their nonpublic schools. Furthermore, section 1372(4) imposes the “duty” on intermediate units to provide for the proper education of exceptional children who are not enrolled in public schools.

The current provision of the State Board’s Regulations (22 Pa. Code 16.42(1)), that merely allows parents to have their gifted children educated in private schools entirely at private expense, fails to satisfy the statutory mandates placed upon the State Board by sections 1371 and 1372 of the School Code.

If the final version of PA 22, Chapter 16 regulation, 6-307 is not withdrawn voluntarily beforehand by the State Board of Education for additional revisions, (including all nonpublic students) I urge you and other Commissioners to disapprove the proposed regulation, 6-307, at the scheduled IRRC Public Meeting on September 18, 2008.

Once again, if there are no revisions made to the final version of PA 22, Chapter 16 regulation, 6-307 I urge all Commissioners to disapprove the regulation.

Sincerely,

  
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