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Broomall, PA 19008
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INDEPENDENT REGULATORY
REVIEW COMMISSION

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PA. STATE BOARD
OF EDUCATION

JIM BUCKHEIT
Executive Director
STATE BOARD OF EDUCATION
333 Market Street
Harrisburg, PA 17126-0333

In Chapter 16, Pennsylvania's Board of Education recognizes the special educational needs of gifted learners. As the parent of three identified gifted learners, I've studied the Chapter with care for the past four years. My children's needs could be met reasonably, without excessive expense, as the Chapter currently exists. However, my district violates the Chapter knowingly and regularly.

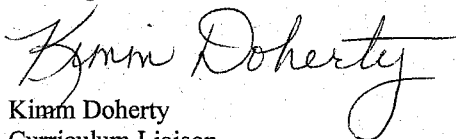
Parents have no recourse to correct these violations. I am able to document a number of inappropriate practices that my district insists on using. The issues include:

- using suburban norms to screen students keeping many from being identified,
- ignoring parental requests for testing,
- refusing to determine adequate present levels that would allow appropriate accommodations,
- holding GIEP meetings with one teacher and the parents – no LEA,
- using vague language in the goals and objectives,
- refusing to provide appropriately leveled materials in "differentiated" regular education situations, etc.

As I have learned, the only recourse for my family would be to file for due process. Odds that I would be successful in due process pro se are slim, as I have no legal experience. Therefore, I would have to hire an attorney. After consulting three educational attorneys, the ballpark estimates of costs to file were \$15,000-\$30,000 of unrecoverable expenses. Frankly, private school tuition would be a more attractive use for that money if we had it to spend for four children. What's more, due process would be completely unnecessary if the district followed the requirements of Chapter 16.

For these reasons, **I urge you to include an individual compliance complaint process and compliance monitoring in the revised version of Chapter 16.** Please put the state's muscle behind educating our brightest students, whose needs have less and less significance to districts focused on AYP. Give parents a mechanism to make the state aware of and able to correct egregious practices without litigation in the upcoming regulations.

Best regards,



Kimm Doherty
Curriculum Liaison
Radnor PAGE

C: Sen. Connie Williams, Rep. Bill Adolf