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Buckheit, James

From: Buckheit, James
Sent: Friday, October 05, 2007 8:42 AM
To: 'Crystal'; sschalles@irrc.state.pa.us
Subject: RE: Chapter 16 Review

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INDEPENDENT REGULATORY
REVIEW COMMISSION

Dear Ms. Newcomer:

I write to acknowledge receipt of your comments that were submitted to the State Board of Education and Independent Regulatory Review Commission concerning the proposed Chapter 16 regulations of the State Board of Education that were published in the Pennsylvania Bulletin on September 8, 2007. You can access a copy of the proposed regulations at:

<http://www.pabulletin.com/secure/data/vol37/37-36/1654.html>

Copies of your comments will be provided to the leadership of the House and Senate Education Committees, Independent Regulatory Review Commission (IRRC) and each member of the State Board of Education.

Members of the State Board will carefully consider your comments as they prepare the final form regulation. If you would like to be notified by mail and receive a copy of the final form regulation when it is submitted for final approval by the House and Senate Education Committees and IRRC, please send a written request to my attention at the address printed below.

Thank you for taking the time to share your thoughts with the State Board of Education.

Jim Buckheit
State Board of Education
717-787-3787

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

From: Crystal [mailto:crystal2004@verizon.net]
Sent: Thursday, October 04, 2007 9:26 PM
To: sschalles@irrc.state.pa.us; jbuckheit@state.pa.us
Subject: Chapter 16 Review

Mr. Schalles and Mr. Buckheit,

Below is a letter you may have seen from others which also applies to me and my concerns. Before getting into the letter below, I would like to share a more fundamental concern about special education for gifted students. If our schools are to educate our children to be the best that they can be, why is it that the "smart kids" are often ostracized by our schools and society? If our country is fortunate enough to have children that have raw intellectual talent, why aren't they developed in the same manner that children with raw physical talent are? If our country is to compete successfully in the global economy, we must develop our gifted children to lead our country. If we do not, our country will suffer in the generations to come.

I have been told that any comments regarding the revision of Chapter 16 governing gifted education in PA should be directed to you as the regulatory analyst from the IRRC for Chapter 16 and the contact for the Department of Education.

I am the parent of gifted students at Cumberland Valley School District and am dismayed by the small percentage of school districts that are monitored annually for compliance with the gifted guidelines. Our students deserve the opportunities that the PA Department of Education regulations are designed to provide them with, and the Department has a responsibility to ensure that schools will comply.

The guidelines must establish a more complete evaluation of school districts' compliance on a set schedule that will allow the Department of Education to determine whether school districts are meeting their obligations. Follow up on a scheduled basis is equally important, and there must be an enforcement mechanism. Anything less results in the regulations being purely illusory.

Additionally, the regulations are internally inconsistent regarding the use of multiple criteria. In Section 16.21 (d), the regulations state that: "This term includes a person who has an IQ of 130 or higher and when multiple criteria as set forth in this chapter and in Department Guidelines indicate gifted ability." This seems to require both a 130 IQ and multiple criteria. However, in the same paragraph it is clearly with an IQ score lower than 130 may be admitted to gifted programs when other educational criteria in the profile of the person strongly indicate gifted ability." To make the paragraph consistent, the wording needs to be changed in the first sentence to say that IQ of 130 or multiple criteria are sufficient for a determination of giftedness. School districts matrices need to be drafted so that students not achieving the 130 will still be capable of proceeding through the testing stages and being admitted to the gifted program at their schools based on multiple criteria. This is currently not occurring at Cumberland Valley School District.

Please take these comments regarding compliance monitoring and enforcement and the need to clarify that students may be admitted to gifted programming with 130 IQ or multiple criteria into consideration during your committee's deliberations. I would also appreciate receiving notification of the final-form regulation being sent to the standing committees and IRRC.

Crystal Newcomer
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