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INDEPENDENT REGULATORY REVIEW COMMISSION

333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 23, 2009

Honorable Gerald L. Zahorchak, Secretary
Department of Education
333 Market Street, 10th Floor
Harrisburg, PA 17126

Re: Regulation #6-320 (IRRC #2768)
Department of Education
General Provisions and Supervision

Dear Secretary Zahorchak:

The Independent Regulatory Review Commission approved the subject regulation today. Our order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Arthur Coccodrilli
Chairman

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Enclosure

cc: Honorable Andrew Dinniman, Chair, Senate Education Committee
Honorable Jeffrey E. Piccola, Chair, Senate Education Committee
Honorable James R. Roebuck, Jr., Chair, House Education Committee
Honorable Paul I. Clymer, Chair, House Education Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held July 23, 2009

Arthur Coccodrilli, Chairman
George D. Bedwick, Vice Chairman
S. David Fineman, Esq., by Phone
Nancy Sabol Frantz, Esq.
John F. Mizner, Esq.

Regulation No. 6-320 (#2768)
Department of Education
General Provisions and Supervision

On June 3, 2009, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Education (Department). This rulemaking amends 22 Pa. Code § 711.3 (b). Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.


This rulemaking aligns the Commonwealth's regulations with the Federal Individuals With Disabilities Education Act and implementing regulations (34 CFR 300.1 - 300.818), as amended at 73 FR 73006 - 73029 (December 1, 2008).

We have determined this regulation is consistent with the statutory authority of the Department (24 P.S. §§ 17-1732-A(c)(2) and 17-1749-A(b)(8)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Arthur Coccodrilli, Chairman