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**From:** mikeneby@comcast.net [mailto:mikeneby@comcast.net]

**Sent:** Tuesday, October 02, 2007 4:48 PM

**To:** sschalles@irrc.state.pa.us; jbuckheit@state.pa.us

**Subject:** Gifted Education

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Mr. Schalles and Mr. Buckheit,

INDEPENDENT REGULATORY  
REVIEW COMMISSION

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 stated that "[a] person 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.

Elizabeth Gebert