

April 12, 2007

To: State Board of Education re: Chapter 16

As the parent of a gifted son and the elected member of a School Board, I am concerned that the proposed revisions to Chapter 16 were written from the point of view of--and by—some people who see only the letter of the law but not its underlying spirit.

I believe that vision and understanding are crucial to crafting regulations that will meet the needs of gifted children. People without this understanding may wonder why parents and educators are so passionate about the need for a strong Chapter 16. Therefore, let me offer some insight. Children who are gifted aren't automatically successful in school or in life. The next time your computer gets a virus, think about the study that estimates 20% of our prison population is gifted. "Google" the phrase "gifted underachieving" and you will get 170,000 results. Google "gifted dropout," 947,000 results. "Gifted suicide"--1,060,000! A mind is a terrible thing to waste---yet our country is wasting not only the minds, but also the hearts and souls of our gifted children and grandchildren.

People who don't understand the needs of gifted children may question the need for "special" education protection. I've observed that parents of gifted students are like parents of "regular" education students. They really want one thing--for their children to go to school and learn something EVERY DAY. However, it seems as if a strong, appropriate Chapter 16 is essential to accomplish that basic goal.

Coming from that perspective—and because I believe in the KISS philosophy, Keep It Short and Simple--I have chosen to focus on only three areas in the proposed draft that I feel need further attention:

First, 16.21

(d) Each school district shall establish procedures to determine whether a student is mentally gifted. This term includes a person who has an IQ of 130 or higher and [CHANGE TO "or"] when multiple criteria as set forth in this chapter and in Department Guidelines indicate gifted ability. Determination of gifted ability will not be based on IQ score alone. Deficits in memory and/or processing speed as indicated by such test, cannot be used solely to exclude a student for eligibility for gifted special education. A person with an IQ score lower than 130 may be admitted to gifted programs [CHANGE TO: must receive gifted educational programming and services] when other educational criteria in the profile of the person strongly indicate gifted ability.

Districts are supposed to provide "programming" to fit a student's individual needs, not a preconceived, one-size-supposedly-fits-all, "program." Changing this wording could also help ensure that gifted children who have other learning problems are not overlooked. As a parent once so vividly and emotionally told me, "Gifted divided by LD does not equal average." Both are real needs and must be addressed in Chapter 16 and in Chapter 14 to ensure children with multiple exceptionalities are educated properly.

Second, 16.41. Case size and class roster

Decreasing the caseload to 60 is positive, but increasing class size to 25 is not. Many districts have "regular" education classes that are not that large. With the current limit of 20 students (which incidentally does divide easily into 60), districts may get exemptions from PDE. Exemptions from the 25 rule could mean classes with 27 students--all of whom have individual needs that must be met. Prior to Chapter 16, I believe the acceptable size limit was actually 15. If anything, the needs of students have gotten more, not less, complicated over the intervening years. For those on this Board who have never taught a class of gifted children--or even observed such a class--please contact me and I will gladly arrange a visit to my district, which is about 1 hour from here. I believe first hand experience in this area would provide you with a clearer understanding of the negative impact of this proposed change to increase class size.

Finally, the most crucial aspect of Chapter 16 is compliance monitoring. In fact, I thought about sitting here and chanting that phrase for my entire 10 minutes. I simply cannot fathom why on one hand PDE believes stringent compliance monitoring is imperative to ensure that Chapter 14 is correctly implemented, BUT on the other hand professes that all districts are willing--or even capable--of properly implementing Chapter 16 without oversight.

As a retired teacher, parent and School Board member, I have seen too many administrators who view Chapter 16 like the speed limit on the turnpike-- as a "suggestion," not the law. It is my understanding that of the three onsite visitations done in the spring of 2006, two districts were not implementing Chapter 16 as well as they should. Can we then extrapolate that 2/3 of PA's 501 districts are not performing up to expectations? Wouldn't that kind of massive systemic failure indicate a change is needed?

History has also shown that different Secretaries of Education have demonstrated differing levels of support for Chapter 16. Section 16.6 of your draft says "The Secretary shall outline the process and schedule for monitoring in a Basic Education Circular (BEC)." I am not being facetious when I ask, "In what year will this be done?" No time limit is included. What happens if it's not done? Will the next Secretary of Education have the power to rewrite the BEC to suit his or her personal biases? We are supposed to be a nation of laws, not one governed by the whims of individuals.

The bottom line is--without a specific, concrete system in place to regularly monitor all districts-- and especially those districts about whom complaints have been received-- Chapter 16 is really a worthless document. All the time, thought, and discussion that have gone into its creation will have been wasted. And more importantly we will continue to waste the minds and lives of our children--the future of our state and our nation. Please don't let that happen.