

September 18, 2008

Dear PAGE Members,

The Chapter 16 regulation passed the IRRC, Independent Regulatory Review Commission, and will go to the Attorney General and Legislative Publishing Bureau. Chapter 16 Final Form will then be published in the PA Bulletin. This may take 6 weeks or so. PAGE will be notified when the new regulation is published.

PAGE is very happy to have this regulation passed. We have heard from some very knowledgeable, informed people that if the Chapter 16 revision had not passed September 18, the State Board would have buried it and let any changes drop. We would have lived under the present Chapter 16 for another 4 or 5 years.

PAGE has remained strong with a consistent message throughout the process of revision in the regulation for almost two years. Please do not let anyone tell you that we were not strong. We compromised on several issues, but we made HUGE Positive Progress for Gifted Kids. We need to celebrate this substantial gain for gifted education in PA.

John Tomassini, Director of the Bureau of Special Education, testified on the record at IRRC that as soon as the regulation is published, a stakeholders coalition will be put together to work on the Guidelines.

Department personnel are already working on the BEC. Our work now must continue in order to get more funding for gifted. PAGE is developing plans to get gifted students involved.

PAGE will be in touch with PDE to keep abreast of the actions and forward movement for gifted. As we were told at the IRRC hearing, "This regulation is not just a step forward, this is a jump across a chasm to get this strong law passed. There are many positive changes."

It was announced this week that Shirley Curl will take on the gifted monitoring and gifted related issues replacing Rich Brown. The Bureau of Special Education has been totally reorganized to use the strengths of each person at the Bureau more effectively.

PAGE has been seen as being reasonable and supportive, working for the good of gifted students, and PAGE will be included in the future development of clarifying documents. It is unfortunate that not all members are as happy as I am about the approval vote today. The reality of the situation is clear – the State Board would have dropped any further work on Chapter 16 and we would have had no improvements and no compliance monitoring. Advocates who are unhappy because they were unsuccessful in getting this regulation disapproved may say otherwise.

As I testified at the IRRC meeting in response to the question "why we should trust the Department now when their track record has not been great?"

That answer is simple; until now the regulations have never specifically stated that PDE must develop procedures concerning compliance monitoring and a complaint process in the context of gifted education. The complaint and compliance wording that PAGE has been fighting for during the past 10 years is now, for the first time, included in this revision which was absent from the initial version.

Also, now we have the positive change included to establish a complaint process for parents to use in place of going directly to due process. These complaints will be reported annually to the State Board of Education keeping gifted issues in a public forum.

We actually had the Bureau of Special Education Chief, in response to a question, state today that the Department would monitor more districts especially if a district is targeted by a number of complaints.

We have gotten so many great changes that are positive for gifted students in these revised regulations. How about we celebrate the improvements for gifted students in PA???

Donna Benson
PAGE Past President