



North Allegheny School District

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## **TESTIMONY**

**Presented To: The Senate Majority Policy Committee**

**Topic: Special Education Challenges Facing Pennsylvania School Districts**

**Date: January 23, 2013**

**Location: Hearing Room #1, North Office Building  
Harrisburg, Pennsylvania**

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North Allegheny School District**

Good Morning Chairman Erickson and distinguished Senators of the Majority Policy Committee. Thank you for this opportunity to address the Committee. My name is Dr. Arleen Wheat and I am the Assistant Superintendent of Special Education and Pupil Services for the North Allegheny School District. For thirty-four years, I have been in the field of education and have served in various roles and responsibilities in schools and school districts in the Commonwealth, such as a Special Education Teacher, Supervisor of Special Education, Associate Director of Special education, and in my most recent role as an Assistant Superintendent for the North Allegheny School District.

The testimony that I am providing to this Committee is about special education and the challenges facing Pennsylvania School Districts. Specifically, I would like to provide testimony about the Chapter 16 Regulations for Gifted Supports and Services in Pennsylvania. As you are aware, Chapter 16 is a regulation adopted by the State Board of Education under the authority of the School Code of 1949 (see 24 P.S. § 13-1371, 26-2601-B and 26-2602-B), and therefore the rules of Chapter 16 have the weight of law in Pennsylvania. Specifically, Section 16.41 (3) and (4) limit the total number of gifted students that can be on an individual gifted support teacher's caseload to a maximum of 65 students, and also limits the total number of gifted students than can be on an individual gifted support teacher's class roster to a maximum of 20 students.

The North Allegheny School District has the reputation as one of the highest achieving school districts across the Commonwealth of Pennsylvania and correspondingly is renowned across the Nation for its achievements, not only in the academics, but in the arts and athletics as well. In fact, the North Allegheny School District was recently ranked eleventh in the State for its 2012 SAT scores. This is an accomplishment of which our district and school community is very proud. Additionally, the District identifies 13.5% of its total student population for gifted supports and services. Further, its gifted program is replete with opportunities for students in grades K-12 and encompasses a number of enrichment and acceleration activities. All students have access to a rich and comprehensive curriculum with 20 Advanced Placement Course opportunities and over 50 Honors Courses. At the secondary level, in grades 9-12, a great majority of students who are gifted are included within the comprehensive curriculum where their individualized needs are met at the highest levels of expectancy and achievement. For these students, a separate gifted support class is not needed to meet their individualized needs. Their participation encompasses shadow studies, mentoring opportunities, workshops/conferences, and a wide variety of other individualized activities. In these situations, the gifted support teachers serve as mentors and facilitators for students within these activities. However, the Chapter 16 Guidelines do not provide consideration or flexibility in the ways that gifted support programs are delivered. Although students are not scheduled into a separate gifted support class, the Regulations state that no more than 65 students can be assigned to one gifted support teacher regardless of the level of direct instruction or support provided. This is a costly endeavor for school districts to provide such a level of support. Furthermore, prior to July 1, 2010, the Chapter 16 Regulations did permit a total of 75 students on an individual gifted teacher's roster or caseload, but this was subsequently changed to 65 students. Additional funds did not follow to enable school districts across Pennsylvania to implement this change. In the 2011-2012 school year, the North Allegheny School District expended \$2,337,325.00 to operate its gifted programs, with an additional \$17,000.00 in related transportation costs.

One caveat does exist that provides for a school district to apply for a waiver of these requirements, by written request to the Secretary, for extenuating circumstances. For the 2012-2013, the North Allegheny School District has applied for such a waiver, while re-evaluations are being conducted to determine if students who are not participating in the offered gifted enrichment activities are still eligible for services or if the regular education curriculum is meeting their needs. This is a cumbersome, difficult, and costly process and often places the school districts and parents at odds if they disagree with the recommendations. In addition, parents of students who are gifted are often reluctant to remove a student from the program even though there is limited or no participation by the student, particularly at the secondary level. School districts' and parents' only option for resolution may be a costly due process hearing with attorneys representing each side. Ultimately, if the district is unsuccessful in reducing its gifted support rosters, it must hire additional teachers to facilitate enrichment activities that not all students who are gifted access.

As well, the provision of gifted education is currently an unfunded mandate in Pennsylvania whereby no supplemental funding is available to support districts to adhere to the compulsory regulations and guidelines. Along with the current fiscal challenges facing public school districts across the State and the Nation, the guidelines that outline Gifted Support Programs and Services should allow for greater flexibility in the caseload and class size numbers, without compromising the integrity to the overall delivery of the program.

When we look to Chapter 14 Guidelines for Special Education Programs and Services, these regulations were revised to allow for flexibility in the number of students permitted on a special education (excluding gifted) teacher’s roster. The class size limitations were also eliminated for students with disabilities in 2002, but remain in the current regulations for students who are gifted. The following table demonstrates the flexibility permitted based on the percentage of time that students with disabilities are instructed by a special education teacher. For students requiring less support (Supplemental) by the special education teacher, Chapter 14 Guidelines allow for a higher number of students on the teacher’s overall caseload and subsequently less students on the teacher’s caseload for those requiring more support. The students assigned to special education support classes are those that require extensive supports, accommodations, and specially designed instruction to meet their individual needs. This is not to say that students who are gifted do not require specially designed instruction, but the delivery of a program for a student who is gifted is fundamentally different than for a student who has a learning disability, or a more significant disability.

Type of Support	Itinerant (20% or less)	Supplemental (Less than 80% but more than 20%)	Full – Time (80% or more)
Learning Support	50	20	12
Life Skills Support	20	20	12 (Grades K-6) 15 (Grades 7-12)
Emotional Support	50	20	12
Deaf And Hearing Impaired Support	50	15	8
Blind And Visually Impaired Support	50	15	12
Speech And Language Support	65		8
Physical Support	50	15	12
Autistic Support	12	8	8
Multiple Disabilities Support	12	8	8

Therefore, the North Allegheny School District respectfully submits its recommendation to the Senate Majority Policy Committee by suggesting that the Chapter 16 Guidelines are revised to permit a level of flexibility to the class size and caseload limits based on the delivery and design of each gifted support program. The class size and caseload limits should be based on the percentage of time that gifted support students receive direct instruction by a gifted support teacher in attaining the goals and objectives as determined in the Gifted Individualized Education Plan. The North Allegheny School District would propose the following caseload/roster ranges of a minimum of 75 students to a maximum of 90 students with the elimination of class size limits. We believe this flexibility will allow school districts to provide gifted support services and programs as outlined in Chapter 16 without compromising quality instruction and delivery of such programs.

Chairman Erickson and distinguished Senators, thank you for hearing my testimony today.