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The Arc of Pennsylvania is affiliated with The Arc of the United States and 30 local chapters of The Arc across PA.



September 21, 2023

RE: Intellectual Disability Terminology Update

To: Members of the Independent Regulatory Review Commission

The Arc of Pennsylvania writes in support of Regulation #6-342: Intellectual Disability Terminology Update for the Department of Education and Regulation and #6-341: Intellectual Disability Terminology Update for the State Board of Education and also propose additional regulations.

The listed current codes under these regulations, 22 Pa. Code Chapter 711. 14, 22, 24, 25, 44, and 61 include out of date terminology that is prejudiced towards children with disabilities. By replacing “mental retardation” with the term “intellectual disability” and replacing “mentally retarded” with “an individuals with an intellectual disability”, the Commonwealth will be changing towards more inclusive and respectful terminology.

However, The Arc of Pennsylvania also wishes to highlight instances where other out of date and offensive terminology still exists in the 22 Pa. Code:

1. Sections 502, 925, 923. 2-A 1328, 1338, and 1376 (a) currently list
 - Section 502. Additional Schools and Departments.
 - “Schools for physically and mentally handicapped” could be replaced to “schools for children with physical or intellectual disabilities.”
2. Section 925. Powers and Duties.
 - “Schools for handicapped and institutionalized children” could be replaced to “schools for children with physical or intellectual disabilities.”
3. Section 923.2-A Visual Service.
 - “Defects in vison” could be replaced to “Impairments in vision”
 - “Evaluation of those defects” could be replaced to “evaluation of those impairments.”

4. Section 1328.
 - “Compulsory Education of Physical Defectives” could be replaced to “Compulsory Education of Children with Physical Impairments”
 - “Child of compulsory school age who is deaf and blind, or is so crippled, or whose hearing or vision is so defective” could be replaced to “child of compulsory school age who is so hearing impaired or visually impaired
 - “Education of the deaf, or of the blind, or of crippled children” could be replaced to “education of the hearing impaired or visually impaired”
 - “other bad conduct” could be replaced with “behaviors which impede the learning of self or others”
5. Section 1376. Cost of Tuition and Maintenance of Certain Exceptional Children in Approved Institutions
 - “Serious emotional disturbance” could be replaced with “serious emotional disability”
6. Section 1377. Payment of Cost of Tuition and Maintenance of Certain Exceptional Children
 - “Payment of Cost of Tuition and Maintenance of Certain Exceptional Children” could be replaced to “Payment and Cost of Tuition and Maintenance of Certain Children with Disabilities”
 - “Schools or institutions in which deaf of blind” could be replaced with “schools or institutions in which children who are hearing impaired or visually impaired”
 - “Socially and emotionally disturbed or mentally retarded children” could be replaced with “socially and emotionally disabled or intellectually disabled”
7. Section 2108. Qualifications of Principals and Teachers
 - “Acute physical defect” could be replaced with “acute physical impairment”
8. Section 2501. Definitions
 - “Special classes for physically and mentally handicapped” could be replaced with “special classed for children with physical or mental disabilities”
9. Section 2509. Payments on Account of Courses for Exceptional Children
 - “Payments on Account of Courses for Exceptional Children” could be replaced with “Payments on Account of Courses for Children with Disabilities”
 - “Special classes for exceptional children” could be replaced with “special classed for children with disabilities”
 - “enables handicapped children” could be replaced with “enables children with physical or intellectual disabilities”
 - “Instruction cost per special class pupil” could be replaced with “instruction cost per student with a disability”
10. Section 2517. Payments
 - “Financially handicapped” could be replaced with “financially burdened”
11. Section 2541. Payments on Account of Pupil Transportation
 - “Transportation of physically or mentally handicapped children” could be replaced with “transportation of children with physical or intellectual disabilities”

As shown in the changes in Regulations #6-342 and #6-341, words matter, and the harmful terminology displayed in the current Public School Code implies that people and children with disabilities are “broken” and displays an outdated way of perceiving disability status. Despite society as a whole moving towards more inclusive language, the Public School Code has not changed to display this. The Arc of Pennsylvania is respectfully requesting that the regulations put forth be adopted and other out of date language is also replaced to reflect the more inclusive terminology that exists today.

If you have any questions, please don't hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sherri Landis".

Sherri Landis
Executive Director
The Arc of Pennsylvania