



MOTION RE: CHAPTER 10

The Board previously approved Chapter 10 (relating to safe schools) as final rulemaking, with proposed rulemaking omitted, in accordance with the mandate of section 1302.1-A of the Public School Code. In the course of the review of Chapter 10 under the Regulatory Review Act and the Commonwealth Attorneys Act, issues of form and legality of Chapter 10 as adopted by the Board have been raised by representatives of the Independent Regulatory Review Commission and the Office of Attorney General.

Therefore, in order to make such revisions to Chapter 10 as necessary to meet legitimate form and legality concerns raised by the reviewing authorities, I **move** that the State Board direct its Acting Executive Director (1) to immediately **withdraw** the Chapter 10 regulation package previously submitted; (2) working in consultation with the Department of Education and the Office of General Counsel, to make revisions to Chapter 10 necessary to satisfy any legitimate form and legality concerns identified by the Commission or the Office of Attorney General; and (3) to promptly re-submit the revised Chapter 10 regulation package for final review by the Commission, the legislative committees and the Office of Attorney General.

Though the Acting Executive Director under this motion would be authorized to make revisions to Chapter 10 necessary to resolve legitimate form and legality concerns without further action by the Board, she would not have authority to alter or revise any policy decisions that the Board made previously in adopting Chapter 10.