

-Fact Sheet-

Gaskin Settlement Agreement-Overview

The Gaskin Settlement Agreement is a formal resolution between the Pennsylvania Department of Education (PDE) and a group of families and advocacy organizations who had filed a class-action lawsuit against PDE on behalf of a group of children with disabilities in 1994.

The goal of the proposed settlement is to ensure that Individualized Education Program (IEP) teams consider the regular classroom with supplementary aids and services before considering a more restrictive placement.

- The activities agreed to in the Settlement Agreement are designed to increase the opportunities for students with disabilities to receive the supports and services needed to be educated with non-disabled peers in regular schools and classrooms.
- The agreement does not change an individual student's program, placement or IEP, only the IEP team can make such modifications.
- In the Settlement Agreement, PDE agreed to make changes in its systems for exercising general supervision over special education, including the following:

Developing materials to be displayed in all public schools that show “all children are welcome.”

- Providing increased professional development for teachers and other school personnel.
- Expanding and supporting information and training for parents of children with disabilities.
- Ensuring that all IEP teams determine IEP goals can be implemented in regular classroom with supplementary aids and services.
- Providing a “Single Plan” for students with disabilities who also qualify for gifted support.
- Modifying portions of the IEP and annotated IEP to provide more information on students participating in regular education.
- Modifying complaint resolution and investigation procedures.
- Implementing a new form of compliance monitoring - Least Restrictive Environment (LRE) monitoring - a term borrowed from the federal
- Individuals with Disabilities Education Act (IDEA) to ensure that districts comply with federal and state laws protecting the rights of students with disabilities.
- Establishing a “Least Restrictive Environment” advisory panel of parents, advocates and educators to review

system-wide progress in the delivery of instruction to students with disabilities in regular schools and general classrooms.

- This fact sheet provides an overview of a topic related to obligations contained in the Gaskin Settlement Agreement and should not be relied upon as a complete understanding of the terms of the Settlement Agreement.

View the entire Settlement Agreement at: www.pde.state.pa.us/special_edu/lib/special_edu/Settlement_Agreement.pdf

- For more information for families and advocates of children with special needs, contact The Special Education ConsultLine: 1-800-879-2301 (Voice/TTY/TDD) or view additional information at: <http://parent.pattan.net>.
- The Settlement Agreement was approved by the Court in September 2005 and continues for five years.