

- 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 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 determine whether the goals in a student's IEP can be implemented in 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 capacity of school districts to provide appropriate specially designed instruction, related services, supplementary aids and services, and support to students with disabilities placed in regular education 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 systemic changes pursuant to its general supervisory role 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 information and training that supports parents of children with disabilities.
- Ensuring that IEP teams determine the appropriateness of implementing IEP goals in regular classrooms with supplementary aids and services.
- Providing a single plan for a student with a disability who also qualifies for gifted support.
- Modifying portions of an IEP or annotated IEP to provide more information related to students participating in regular education.
- Clarifying complaint resolution and investigation procedures.
- Monitoring of Least Restrictive Environment (LRE) requirements to ensure that districts comply with federal and state laws related to student placement.
- 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 education 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 for 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](http://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 at: 1-800-879-2301 (Voice/TTY/TDD) or view additional information at: <http://parent.pattan.net>.

This Settlement Agreement was approved by the Court in September 2005 and continues for five years.



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