

- Fact Sheet -

Bureau Director's Advisory Panel on Least Restrictive Environment Practices

Purposes of Advisory Panel:

- Review system-wide progress in the delivery of individualized, specially designed instruction in general education classrooms to students with disabilities in Pennsylvania.
- Analyze and report periodically on the status of implementation of the settlement agreement.

Composition:

- Made up of 15 individuals selected to serve one-year terms. Members may be reappointed annually up to a maximum service of five years.
- Representative of population of children served in special education in Pennsylvania with respect to: race, ethnicity, cultural characteristics, geography, and age.
- Includes persons with recognized expertise in research and practices related to the provision of a free appropriate public education in the least restrictive environment.
- Nine members must be parents of children with disabilities (not employed by the Pennsylvania Department of Education (PDE), any school district, or local education agency (LEA) in Pennsylvania).
- Organizational plaintiffs selected 12 members and Bureau Director selected three members.

Timelines:

- Initial members were named within 60 days of effective date of settlement agreement (and by no later than March 31 of succeeding calendar years).
- Initial meeting was convened no later than 90 days following nomination of initial members by organizational plaintiffs. Subsequent meetings are scheduled at quarterly intervals.

Structure:

- Panel selects a Chair and a Vice Chair annually.
- Operating rules and procedures consistent with state law and PDE policies were developed.
- A committee structure was developed and members were appointed to committees.

Responsibilities of Advisory Panel:

- Review available data to assess the efforts of school districts and other programs in assuring a Free Appropriate Public Education in the Least Restrictive Environment (LRE) for school children with disabilities. Specific data to be reviewed include:
 - Samples of student IEPs to determine whether school district staff understand and are following the policies on LRE monitoring.
 - The number of special education students in each school district who begin first grade outside the general education classroom in their neighborhood schools.
- May review PDE policy and make recommendations to the Bureau Director for changes that clarify PDE policy related to the use of a “single plan” for students who receive gifted or Chapter 15 services.
- Provided input to PDE for designing materials for distribution by PDE for display in school buildings that make it clear that all children, including those with disabilities, are welcome.
- Provided input to PDE in designing and distributing information for parents about supplementary aids and services that children with disabilities can receive in general education classrooms and how parents can seek assistance in obtaining supplementary aids and services.

Responsibilities of PDE:

- Support the work of the advisory panel with staffing, facilitation of meetings, and reimbursement of travel costs for members to participate in the work of the advisory panel.
- Provide data to the advisory panel in a form that complies with the Health Insurance Portability and Accountability Act (HIPAA), the Family Educational Rights and Privacy Act (FERPA), the Individuals With Disabilities Education Act (IDEA), and other applicable federal and state regulations.
- Work with the advisory panel to design a needs assessment of school district and intermediate unit personnel related to research-based practices and the provision of supplementary aids and services in general education classes.
- Seek input from the advisory panel in identifying Pennsylvania school districts that have developed exemplary programs and practices to educate students in the LRE.

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.
- 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>.