

- 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 settlement is to ensure that Individualized Education Program (IEP) teams determine whether the goals in a student's IEP can be implemented in the general education 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 general 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 display materials for all public schools showing 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 general education classrooms with supplementary aids and services.
- Providing a single IEP for a student with a disability who also qualifies for gifted support.
- Modifying portions of the IEP or annotated IEP to provide more information related to students participating in general 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 general 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.
- 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>.

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