

10 THINGS YOU NEED TO REMEMBER ABOUT GASKIN

1. The settlement agreement essentially requires that Districts do what they have been required to do for a number of years, place students in the least restrictive environment with supportive aids and services.
2. For several years, Districts in our jurisdiction have been prohibited from placing students in a more restrictive setting unless they were able to show that a student could not be educated in the regular environment even with a full array of aids and services such as parallel instruction, paraprofessional assistance, behavior management, itinerant support.
3. Placement decisions must be based upon the unique needs of each student.
4. Districts are still required to provide a continuum of alternative placements for students. These include instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions.
5. The District may not have a policy which precludes consideration of more restrictive settings.
6. IEP's must include a list of what is needed by staff to support a student's placement in the regular classroom such as: training, behavior management, paraprofessional assistance, assistance from special education and related service staff, sensitivity training for other students, and planning time.
7. If a student is assigned to your class and you have not had experience working with students who have similar disabilities or needs, you should request training about the nature of the disability and how to address the student's needs.
8. It is critically important that the regular education teacher responsible for an included student attend the IEP meeting. If all teachers are unable to attend, the District must advise each teacher of their duties and should seek input from each teacher prior to the meeting.
9. Educators and administrators who violate these requirements may be personally liable for monetary damages if they violate the requirements.
10. If you feel that you are being pressured to recommend a regular education placement which is inappropriate, you may request assistance from the Association in communicating your concerns to the District.