



The Beacon

A Publication of The Pennsylvania
 School Study Council

Spring 2007

VOLUME 3, NUMBER 2

Superintendents' Perceptions of the Gaskin Settlement

Dona Bauman, Vanessa Silla, Derry L. Stuff
 University of Scranton

The Individuals with Disabilities Education Improvement Act (IDEIA, also referred to as IDEA 2004) stipulates that each student with a disability must be educated in the least restrictive environment (LRE) (20 U.S.C. 1412 (a)(5)(A)). IDEIA obliges states to establish procedures and policies that assure children with disabilities are educated to the maximum extent possible with children who do not have disabilities (Osborne & Russo, 2003). IDEIA also stipulates that a child can only be removed from the general education classroom when the nature or severity of the disability prevents the student from satisfactory achievement, even when supplementary aids and services are available (Osborne & Russo, 2003).

Few areas in special education law have been the subject of more debate and controversy than the LRE mandate. LRE interpretation by circuit courts is the highest authority available as the Supreme Court has refused to hear any LRE cases. Such cases are returned back to the circuit court where they were heard (Yell, 2006). Additionally, Yell (2006) identifies four circuit court decisions that serve as standards for review for LRE compliance.

The first court decision assisted with the creation of the Roncker Portability Test which asserts that where the segregated facility is considered superior the court should determine whether the services which make that placement superior could feasibly be provided in a non-segregated setting. The Roncker Portability Test is used in the Sixth Circuit which covers the states of Kentucky, Ohio, Michigan, and Tennessee.

The second court decision helped formulate the Daniel Two-Part Test that covers the Fifth Circuit and includes the states of Louisiana, Mississippi, and Texas. The Two-Part Test consists of two questions: 1) Can education in the regular education classroom, with the use of supplemental aids and services, be achieved satisfactorily for a given child? 2) Has the child been mainstreamed (currently referred to as included) to the

Editor:

Laura Walstad
The Pennsylvania State University

Editorial Board:

Bernard J. Badiali
The Pennsylvania State University

Dennis Baughman
Northeastern School District

Marilyn Begley
The Pennsylvania State University

Paul T. Begley
The Pennsylvania State University

William L. Boyd
The Pennsylvania State University

Susan C. Faircloth
The Pennsylvania State University

Debra M. Freedman
The Pennsylvania State University

Preston C. Green
The Pennsylvania State University

William T. Hartman
The Pennsylvania State University

Salvatore F. Luzio Sr.
Riverside School District

J. Daniel Marshall
The Pennsylvania State University

James F. Nolan
The Pennsylvania State University

Jillian Reese
The Pennsylvania State University

Kai A. Schafft
The Pennsylvania State University

Roger C. Shouse
The Pennsylvania State University

Jacqueline A. Stefkovich
The Pennsylvania State University

Iris M. Striedieck
The Pennsylvania State University

John W. Tippeconnic
The Pennsylvania State University

Angela Tzilkowski
The Pennsylvania State University

maximum extent appropriate? This must occur if the decision is to remove the child from the regular education environment for a portion of the day. The Daniel Two-Part Test has also been adopted by the Third Circuit Court and Eleventh Circuit Court through *Oberti v Board of Education of the Borough of Clementon School District* (1993) and *Greer v. Rome City School District* (1991) (Yell, 2006).

The *Oberti* (1993) legal standard states that the preference or presumption in favor of inclusion will not be rebutted unless the school district shows that: 1) The child's disabilities are so severe that he or she will receive little or no benefit from inclusion; 2) He or she is so disruptive as to significantly impair the education of other children in the class or; 3) The cost of providing an inclusive education will significantly affect other children in the district (Rhen, 2005).

The *Greer* (1991) decision established that the IEP team in its deliberations must consider the whole range of supplemental aids and services available that would allow the student to be successful in regular education. In addition, the court concluded that only when the cost of these aids and services may become excessive could they be considered as a factor in denying regular class placement (Yell, 2006).

The third court decision from the U.S. Ninth Circuit Court of Appeals case, *Sacramento City School District v. Rachel H.* (1994), led to the Rachel H. Four-Factor-Test. This covers the Ninth Circuit states of Alaska, Arizona, California, Guam, Hawaii, Idaho, Montana, Nevada, the Northern Marianas Islands, Oregon, and Washington. The Rachel H. Four-Factor-Test consists of the following four items: 1) the educational benefits of the general education classroom with supplementary aids and services as compared with the educational benefits of the special classroom; 2) the nonacademic benefits of interaction with students without disabilities; 3) the effect of the student's presence on the teacher and on other students in the classroom and; 4) the cost of inclusion.

The Hartman Three-Part-Test from the Fourth Circuit Court established that when a student with a disability does not receive educational benefit, inclusion is not required. This test affects the states of Maryland, North Carolina, South Carolina, Virginia, and West Virginia. When there is only a marginal benefit from inclusion, placement in a separate educational setting that can provide more benefits is recommended. A school district must take into consideration whether or not the student is disruptive in the general education classroom. Under IDEIA, there is a preference for inclusion, but it is not required in every circumstance because social benefits are a subordinate goal to educational benefits (Yell, 2003).

The state of Pennsylvania through the Third Circuit Court *Oberti* (1993) decision follows the Daniel Two-Part Test to determine the LRE for a student (Yell, 2006). The *Oberti* (1993) legal standard states that the preference or presumption in favor of inclusion will not be rebutted unless the school district shows that: 1) The child's disabilities are so severe that he or she will receive little or no benefit from inclusion; 2) He or she is so disruptive as to significantly impair the education of other children in the class or; 3) The cost of providing an inclusive education will significantly affect other children in the district (Rhen, 2005).

The *Gaskin* (1995) settlement, which was brought on behalf of a group of children with disabilities, guarantees that the Individualized Education Plan (IEP) team will first consider placement in the regular education classroom with supplementary aids and services. Another result of the *Gaskin* (1995) settlement is that students with disabilities will have increased opportunities to receive the supports and services in the general education classroom. In the *Gaskin* (1995) settlement, the Pennsylvania Department of Education (PDE) agreed to make changes in its systems for exercising general supervision over special education which include:

- 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 the 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 Improvement Act (IDEIA) 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 (Pennsylvania Department of Education, Fact sheet: *Gaskin settlement* agreement overview, Retrieved on 12-08-06).

The *Gaskin* (1995) settlement will have an impact on the roles and responsibilities of school leaders. Under the *Gaskin*

(1995) settlement, school superintendents and school leaders are to create a school district that welcomes all students. This is to be accomplished through the use of materials that PDE will distribute to the school districts for display in their buildings. Additionally, school leaders will use a needs assessment tool to identify relevant information for school improvement and professional development plans. School leaders must ensure that staff are aware of changes and are using the new IEP form. Administrators must also ensure access to professional development resources through the intermediate units, higher education partners, and Pennsylvania Training and Technical Assistance Network (PaTTAN). Administrators must build partnerships with families of students with disabilities and actively involve them in the planning process. School leaders must participate in analysis of district data and monitoring visits.

Under IDEA and the *Gaskin* (1995) settlement agreement, PDE must oversee the execution of the requirements as laid out in the settlement for LRE. PDE does this through the LRE monitoring program. Under the new LRE monitoring program, all school districts in the Commonwealth will receive an LRE index score based on data factors relating to the success they have achieved in including students in special education in regular education classrooms for all or part of the school day (Pennsylvania Department of Education, 2006). There will be three monitoring tiers. The twenty districts with the lowest LRE index scores will constitute Tier One LRE monitoring and receive intensive training and on-site monitoring by PDE, which will include the development of a corrective action plan. Tier Two LRE monitoring represents those districts with LRE index scores in the bottom ten percent of Pennsylvania's 501 school districts. These districts would be placed on a warning list and be required to attend PDE-sponsored training and technical assistance programs. They also must submit a corrective action plan addressing areas identified for improvement. Tier Three LRE monitoring comprises all districts with LRE index scores in the bottom fifty percent of Pennsylvania's 501 school districts. These districts would receive a communication from PDE stating that the district is in the bottom half of all districts in terms of LRE data analysis.

Purpose

The primary purpose of this study was to evaluate Pennsylvania school district superintendents' familiarity with the *Gaskin* (1995) settlement and the impact on administrators. A secondary purpose of the study was to assess superintendents' perceptions of staff attitudes and professional development needs regarding students with disabilities included in general education settings.

Administrators play a key role in the task force development and membership. Roach (1994) asserts that some school districts appoint inclusion task forces to study the issue, create public dialogue, and develop an implementation plan. Often the administrator is responsible for the task force. When task forces are used to study inclusion, inclusion is not seen as a special education program, but rather a district wide initiative for all children (Roach, 1994). Weir, Hobbs, and Fiaseki (1999) identify that there are common problems that superintendents and other administrators must address as they attempt to implement inclusive education. Although school administrators are often responsible for providing instructional leadership to special education teachers, they have little knowledge of the specific learning theories and teaching strategies that are used with children who are included (Murtadha-Watts & Stoughton, 2004). The *Gaskin* (1995) settlement has directly impacted school districts in Pennsylvania. School superintendents will now be held responsible to ensure that their school district meets the minimum requirements outlined in this court decision.

This study was designed to assess the attitudes of the superintendents and their staff toward the settlement as well as the resources they feel their staff will need in order to implement inclusion as defined by the *Gaskin* (1995) settlement. Superintendents, as the chief executive officers and commissioned officers by the Commonwealth of Pennsylvania, are ultimately responsible for abiding by any laws or settlements that affect education. This study represents the first in a series of research studies addressing implications of the *Gaskin* (1995) settlement to school personnel. Superintendents were selected to be surveyed first as they are the district contact person who would first receive the legal mandate and be responsible for its implementation.

Design

In the spring of 2006, the 501 Pennsylvania public school superintendents were surveyed regarding their perceptions of the impact of the *Gaskin* (1995) settlement, the percentage of students with disabilities served in the general education classroom, the staff attitudes towards educating students with disabilities in the general education setting, the inclusionary professional development needs of teachers, and their perceived LRE index. The LRE index score is based on data factors relating to the success school districts have achieved in including students in special education in regular education classrooms for all or part of the school day (United States District Court, 2004). An introductory letter was emailed to the superintendents through PENNLINK, a Pennsylvania electronic mail system which connects PDE with all of the public schools and intermediate units in the Commonwealth. Many colleges and universities are also connected to the system.

From the 501 surveys initially sent, 114 surveys were returned. This 23% return rate could be considered to be a limitation of this study, however due to the fact that the entire population of Pennsylvania superintendents were surveyed on a topic which is delicate and controversial, this response rate is acceptable. This survey was received with skepticism, as the researchers received correspondence from several professionals indicating their concern that the survey was being conducted on behalf of PDE or special interest groups. Superintendents were asked a variety of questions on a nine-item questionnaire that related to the specific areas of interest of the study. Completed questionnaires were submitted on surveymonkey.com where responses were transmitted to a spreadsheet for analysis.

The survey₁ collected demographic information and superintendents' responses to nine questions concerning their awareness of the *Gaskin* (1995) settlement, their estimation of the percentage of students with disabilities who are being served in the general education setting in their district, their perception of staff attitudes regarding inclusionary classroom practices, professional development topics that might be beneficial to their staff, and what they thought their LRE index would be based on the three tier system proposed by the *Gaskin* (1995) settlement as described earlier. The item response format of the survey was a Likert scale and forced choice format. Prior to distribution, the survey was sent to a sample of special education training consultants to review for content accuracy. They made several suggestions which were implemented by the researchers. To guarantee respondent anonymity, superintendents were able to access the survey through a link in the introductory e-mail to the online survey tool.

Results

The findings are summarized by providing the frequencies of response and the significance of the differences between the groups based upon the demographic characteristics and staff attitudes/training areas. Of the 114 responses received, 52% classified their school districts as being located in rural counties, 9% in urban counties, and 40% in suburban counties. Similarly, the distribution of survey respondents by the classification of their school district indicated that 54% of the school districts were rural, 15% were urban, and 31% were suburban.

Item #3 assessed awareness of the *Gaskin* (1995) settlement. Responses suggested that approximately 97% of respondents were aware of the *Gaskin* (1995) settlement. Table 1 shows the distribution of opinions of the *Gaskin* (1995) settlement. Responses on item #4 suggested that approximately 8% of respondents strongly disagreed with the settlement, approximately 34% disagreed with the settlement, and approximately 26% were undecided. Approximately 25% of respondents agreed with the *Gaskin* (1995) settlement, and 8% of respondents strongly agreed.

Table 1
Opinion of *Gaskin* (1995) Settlement

	Percentages	Number of Responses
Strongly Disagree	8%	9
Disagree	33.6%	38
Undecided	25.7%	29
Agree	24.8%	28
Strongly Agree	8%	9

Item #5 examined the category in which respondents believed their school district would be placed for LRE monitoring. Responses to the survey suggested that approximately 4% of respondents believed their school district would be placed on Tier One for LRE monitoring indicating that their school district would be one of the 20 school districts most in need of intensive support. Approximately 16% of respondents believed their school district would be placed on Tier Two for LRE monitoring indicating that their school district would be placed in the bottom 10% (50) of school districts. Approximately 80% of respondents believed their school district would be placed on Tier Three for LRE monitoring indicating that they believed their school district would be placed in the bottom half (250) of school districts. Item #6 was a follow-up question on why respondents categorized their school districts where they did.

Item #7 examined the percentage of students with each disability currently being served in a general education setting. IDEA disability categories were used in the grouping of the disabilities. Table 2 shows the distribution of responses. The four disability categories most likely to be placed in the general education setting 80% or more of the time were learning disabilities, speech and language disorders, hearing impairments, and visual impairments. The four disability categories least likely to be placed in the general education setting 80% or more of the time were multiple disabilities, mental retardation, autism, and traumatic brain injury (TBI).

Table 2

Percentage of Students with Disabilities in a School District Receiving General Education Placement by Disability Category Reported in Percentages

<i>Disability Category</i>	0-19% of students	20-39% of students	40-59% of students	60-79% of students	80-100% of students
Learning Disabilities	9	7	16	21	47
Emotional Behavioral Disorders	30	6	14	26	24
Mental Retardation	38	18	13	16	16
Speech Language Disorders	21	7	1	6	64
Autism	34	7	24	15	20
Hearing Impairments	32	0	7	12	50
Visual Impairments	34	3	6	7	50
Deaf/Blind	55	7	6	2	29
Blind	51	6	4	11	28
Traumatic Brain Injury (TBI)	49	9	11	9	21
Multiple Disabilities	53	21	5	8	12
Orthopedic Impairments	41	5	5	13	37
Other Health Impairments	28	2	8	16	46

Item #8 examined staff attitudes towards students with disabilities being educated in general education settings as reflected in Table 3. The three attitude categories were negative, neutral, and positive. The four disability categories that received the most positive staff attitudes regarding placement in the general education setting were hearing impairments, speech and language disorders, learning disabilities and visual impairments. The three disability categories that received the strongest negative attitudes regarding placement in the general education setting were emotional/behavioral disorders, multiple disabilities, and mental retardation.

Table 3

Staff Attitudes Regarding General Education Placement Per Disability Category Reported in Percentages

<i>Disability Category</i>	Negative	Neutral	Positive
Learning Disabilities	4	14	81
Emotional/Behavioral Disorders	38	30	32
Mental Retardation	27	30	44
Speech/Language Disorders	0	10	90
Autism	21	46	34
Hearing Impairments	4	15	81
Visual Impairments	7	15	78
Deaf/Blind	16	40	44
Blind	12	38	50
Traumatic Brain Injury (TBI)	21	40	38
Multiple Disabilities	32	35	33
Orthopedic Impairments	4	22	74
Other Health Impairments	4	20	76

Table 4 reports the responses to Item #9 which identified the topical areas superintendents felt their staff needed in order to educate students with disabilities in the general education classroom. The two training areas identified as most needed were co-teaching and progress monitoring. Direct instruction and applied behavior analysis were identified as the least needed areas of training.

The last item on the survey was an open-ended question which directed respondents to identify topical areas of training they felt would benefit their staff in including students with disabilities. The following topical areas were identi-

field: leadership training for administrators, student centered learning, classroom behavior management, training on understanding disabilities that fall under the Other Health Impairments (OHI) category, utilizing assessments to design differentiated instruction, training regular education teachers in inclusionary practices, ongoing staff development, training in Research Based Instruction (RBI), Response to Intervention (RTI) training, multiple intelligences approaches and strategies, best practices in assessment and learning, brain research and implications for learning, and co-planning between a general and special educator in order to co-teach a lesson.

Table 4
Training Areas

<u>Training Areas:</u>	Percentages	Number of Responses
Co-Teaching	77.7%	87
Progress Monitoring	66.1%	74
Adapting Assessment	64.3%	72
Collaboration/Team Process	64.3%	72
Applied Behavior Analysis	44.6%	50
Direct Instruction	35.7%	40

In order to assess whether there was a pattern between opinions of the *Gaskin* (1995) settlement and tier placement by superintendents, a Chi square test was run. The Chi square test was used to determine if any patterns were due to chance and to assess the likelihood that the spread across nominal responses matched the expected frequency of responses. Table 5 reports the Chi square values found. A Pearson chi-square value of 12.000 was obtained with four degrees of freedom. The critical value for a .05 level of significance was set at 9.49. A significant relationship between opinion of the *Gaskin* (1995) settlement and tier placement was found.

Table 5
Chi Square Values

	Value	df	Asymp. Sig. (2-sided)
Pearson Chi-Square	12.000	4	.017
Likelihood Ratio	12.137	4	.016
Linear-by-Linear Association	2.207	1	.137
N of Valid Cases	6		

There was equal distribution among tier one and tier two placement for those who were either undecided about the *Gaskin* (1995) settlement or strongly agreed with it. For those who strongly disagreed or disagreed with the *Gaskin* (1995) settlement, there was a disproportionate number of responders who placed their school district in a tier one as opposed to a tier two or three category. Responders who agreed with the *Gaskin* (1995) settlement were most likely to place themselves in a tier one category, followed by tier two and then tier three. There were only 10 responders who placed themselves on tier three. These responders were evenly distributed as those who either disagreed, strongly disagreed, agreed, or had not formed an opinion about the *Gaskin* (1995) settlement. Table 6 reports opinions of the *Gaskin* (1995) settlement by tier placement in percentages.

Table 6
Opinions of the *Gaskin* (1995) Settlement by Tier Placement Reported in Percentages

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree	Total
Tier One	3	12	11	18	6	50
Tier Two	4	8	13	14	2	41
Tier Three	1	2	2	2	2	9
Total	8	22	26	34	10	100

Discussion

The majority of the respondents feel their districts are in rural areas in Pennsylvania. Of those respondents, 97% were aware of the *Gaskin* (1995) settlement which indicates regardless of where your school district resides in the Commonwealth, the information was adequately disseminated. Although 97% of the respondents reported that they were aware of the *Gaskin* (1995) settlement, only 33% indicated that they agreed with the findings of the settlement.

It is interesting to note that 80% of the superintendents believed that their districts will be categorized on Tier Three or no tier monitoring. This finding indicates that of the school districts that responded, the majority felt that they were in compliance with inclusionary guidelines as defined by the *Gaskin* (1995) settlement. It would be interesting to compare perceptions of Tier placement with actual Tier designations.

The results indicate that the easiest disability categories to include (hearing impairments, speech and language disorders, learning disabilities and visual impairments) were also those that received the most positive staff attitudes regarding inclusion. In contrast, the three disability categories that received the strongest negative attitudes regarding placement in the general education setting were emotional behavioral disorders, multiple disabilities, and mental retardation. Research has shown that the emotional behavioral disorders population is an IDEIA category that has historically been placed in a segregated environment (Heward, 2006; Hallahan & Kauffman, 2003). These results may indicate that more resources and training are needed to assist districts in including the more difficult disability categories.

Respondents indicated that more training is needed in co-teaching (78%) and progress monitoring (66%). These two training areas were the most requested. Conversely, direct instruction (36%) and applied behavior analysis (45%) were the two areas of training that respondents identified as less important. This may indicate respondents have already been trained in these areas. It is important to note that collaboration (64%) and adapting assessment (64%) received a high rating regarding topical training areas for inclusion of students with disabilities in the general education setting. Training needs are dependent upon an inclusionary continuum of placements. District placements and disability percentages within a district drive training needs. Training needs are also dependent upon the demographic composition and more specifically the percentage of students with disabilities of the school district.

Limitations to Study

Although a 23% return rate is successful considering the delicate and controversial nature of inclusionary practices in the state of Pennsylvania, a higher return rate from urban districts would have improved the study and would have provided a more representative sample. Likewise, not having the demographic composition of the special education population within each school district limits the interpretation of the findings. Such information may be beneficial to an analysis of how training needs relate to special education composition. Due to the nature of survey design, anonymous responders typically are those with a vested interest in the topic. Therefore, it may not be possible to generalize these results to the entire Pennsylvania school training needs.

Implications for Practice and Future Research

The results of this investigation indicate that superintendents need to focus on the training needs of their staff, particularly with regard to specific disability categories, which are driven by their special needs population. Superintendents must understand and monitor the training levels of their staff and provide the appropriate training to meet the needs of staff who are including students in the general education setting. These results would also encourage superintendents to assess the level of training of incoming teachers regarding specific disabilities. Effective instructional practices for the included environment are not always the focus of pre-service training. Although there have been recent efforts to improve the quality of training for teachers, most regular educators receive little or no preparation regarding students with special needs (U.S., Department of Education, 1999). Lyon, Vassen, and Toomey (1989) found that teachers report that too few programs explicitly teach future teachers the skills they need to accommodate widely varying student needs. It is important for educators who are teaching students in an included environment to have a common set of technical skills, language, and conceptual framework (Villa, Thousand, & Chapple, 1996).

Superintendents need to monitor staff attitudes regarding inclusion and provide staff with the needed support to ensure all parties are actively engaged with the requirements. In addition, superintendents must ensure that staff are comfortable with this change in educational law and practices. Although research documents the benefits of inclusion and lists suggestions for the execution of effective strategies to promote inclusion, educator attitudes have not always been positive. Cook, Tankersley, Cook, and Landrum (2000) found that as teachers gained experience with students in the included classroom they exhibited more concern regarding those students.

Superintendents will also need to monitor any changes in the law that would impact the placement of students and the needs of the staff in order to comply. This could have major impacts on budget allocations for future training needs. Staff development becomes an integral component of any school district program. School boards often are prone

to cut staff development when school budgets are limited. Finally, superintendents need to have a good working relationship with parents of the special needs population to disseminate what the district is doing and also to monitor parental satisfaction with the district's program.

Future research could focus on principals and what they are doing to promote appropriate staff development. It would also be interesting to see if teachers are receiving the training needed at the classroom level to implement appropriate inclusionary practices. Parental perspectives should be monitored in an effort to assess their perception regarding implementation of the *Gaskin* (1995) settlement. School district perceptions and actual Tier assignments by the PDE could prove to be of interest.

Summary

Gaskin vs. Pennsylvania (1995) addressed the issue of students with significant disabilities being educated in the least restrictive environment. The settlement clearly addressed what Pennsylvania and school districts need to do to comply with the terms of IDEA. The results of a survey administered to Pennsylvania school superintendents indicated a need for staff development to assist with the inclusion of students in special education. The determination of what kind of training or services are provided to the staff is dependent upon the superintendents' opinion of the *Gaskin* (1995) settlement and the inevitable tier placement of the school district. The training efforts of the districts will be supported by the PDE. The Pennsylvania Department of Education is also obligated to monitor LRE and to provide assistance to districts that are encountering difficulties in this process.

Notes:

1 Copies of the survey can be obtained by contacting the Dr. Derry Stufft at stufftd2@Scranton.edu

References

- Cook, B.G., Tankersley, M., Cook, L., & Landrum, T.J. (2000). Teachers' attitudes toward their included students with disabilities. *Exceptional Children, 67* (1), 115-135.
- Gaskin v. Pennsylvania*, No. Civ. A. 94-4048, 1995 WL 355346, at *1 (E.D. Pa. June 12th, 1995)
- Hallahan, D. & Kauffman, J. (2003). *Exceptional learners: Introduction to special education*. New York: Allyn & Bacon.
- Heward, W. (2006). *Exceptional children: An introduction to special education*. New Jersey: Pearson Prentice Hall.
- Lyon, G.R., Vaassen, M., & Toomey, F. (1989). Teachers' perceptions of their undergraduate and graduate preparation. *Journal of Special Education, 12*, 164-169.
- Murtadha-Watts, K., & Stoughton, E. (2004). Critical cultural knowledge in special education: Reshaping the responsiveness of school leaders. *Focus on Exceptional Children, 37*(2), 1-8.
- Osborne, A.G., & Russo, C.J. (2003). *Special education and the law: A guide for practitioners*. Thousand Oaks, CA: Corwin Press, Inc.
- Pennsylvania Department of Education (2006). Fact sheet. *Gaskin settlement agreement overview*. Retrieved December 8, 2007 from Pennsylvania Department of Education Web site: http://www.pde.state.pa.us/special_edu/cwp/view.asp?Q=109539&A=177
- Rhen, L. O. (2005). *Gaskin vs. PA: Implications for school leaders*. Retrieved March 22, 2007 from PAITAN Web site: http://www.paitan.org/files/Gaskin-Gaskin_Article.pdf
- Roach, V. (1994). *The superintendents' role in creating inclusive schools*. School Administrator, 51, 20-5+. *Sacramento*, 1994, 8, 13-14. *Rachel H.* No. 14 F.3d 1398 (9th Cir. 1994).
- United States Department of Education (1999). Twenty-First Annual Report to Congress. Washington, DC.
- United States District Court (2004). *Gaskin vs. Pennsylvania* department of education: Summary of principal provisions in the 1995 settlement agreement. Retrieved from www.pdeinfo.state.pa.us/special_edu/lib/special_edu/Gaskin_Summary_Sheet_12-25-04.pdf 12/25/04 1:53:07-07
- Villa, R.A., Thousand, J.S., & Chapple, J.W. (1996). *Theory into practice, 35*, 42-50.
- Weir, R. M., Hobbs, T., & Fiaseki, C. (1999). Facing the problem of inclusion: Solutions for administrators. *National Exceptional Children Administration and Supervision Journal, Electronic Volume 16E* (4).
- Yell, M.L. (2006) *The law and special education*. Upper Saddle River, NJ: Pearson, Merrill Prentice Hall

PUBLICATION DETAILS: The Beacon is an independent publication of The Pennsylvania School Study Council (www.ed.psu.edu/pscc), which is dedicated to improving education by providing research information, professional development activities, and technical assistance, enabling members to meet current educational challenges.

EDITORIAL CONTACT INFORMATION: Address all papers, editorial correspondence, and subscription information requests to Pennsylvania School Study Council, attn: Editor Laura Walstad, 200 Rackley Building, Department of Education Policy Studies, Pennsylvania State University, University Park, PA 16802 United States of America. Tel: 814-865-0321 Fax: 814-865-1480 E-mail: lhw15@psu.edu

This publication is available in alternative media on request.

The Pennsylvania State University is committed to the policy that all persons shall have equal access to programs, facilities, admission, and other university-related activities without regard to personal characteristics not related to ability, performance, or qualifications as determined by University policy or by state or federal authorities. It is the policy of the University to maintain an academic and work environment free of discrimination, including harassment. The Pennsylvania State University prohibits discrimination and harassment against any person because of age, ancestry, color, disability or handicap, national origin, race, religious creed, sex, sexual orientation, or veteran status. Discrimination or harassment against faculty, staff, or students will not be tolerated at The Pennsylvania State University. Direct all inquiries regarding the nondiscrimination policy to the Affirmative Action Director, The Pennsylvania State University, 328 Boucke Building, University Park, PA 16802-5901, Tel: 814-865-4700/V, 814-863-1150/TTY: U-Ed. EDU-05-19