

Gaskins disability  
need to receive  
beneficial education.  
in

[Education](#)



Gaskins vs. PDE was a case about Lydia Gaskins, a young child with Down syndrome, who lived in Carlisle, PA. The lawsuit was filed against Pennsylvania Department of Education by Gaskins family and other families along with advocacy organizations on June 30, 1994.

The lawsuit was filed against the department on behalf of school age children who had disabilities in the had who were denied the correct education in a regular setting classroom with special one on one supportive services. Some of those children were placed in a classroom without the supportive services that they needed in order to succeed in a regular classroom setting. Not only were these children placed in the classroom without any support, many of the teachers in the classrooms were not trained in dealing with children with a disability and Pennsylvania schools were unwilling to provide the necessary resources needed. Pennsylvania did the very minimal to make sure school districts were complying with the disability education act and it was clear to the state but little was done to fix the problem. The families and organizations wanted to make sure children with disabilities in Pennsylvania school districts were provided with the real supported that they needed and required by the IDEA. The lawsuit wanted to change the Pennsylvania system for training inclusions and monitoring and making sure the IDEA compliance were being enforced. After eleven years, Judge Robreno issue an order that resulted in a settlement, that obligated Pennsylvania Department of Education make changes to their system for supervision over special education programs in the state. The new reforms put in place aimed to increase the states amount of

supplementary aids and any service in a regular class that a child with a disability need to receive beneficial education.

In 1954, Attorney Thurgood Marshall challenged Brown vs. Topeka board of education. This was a lawsuit against the Topeka school board address Linda Brown a third grader from Kansas who lived by the school Sumner Elementary an all white school but she attended Monroe Elementary school an all black school which was blocks away from her her. Her family filed a lawsuit against the city for discriminating against her and not accepting Brown into a school that was right in front her house.

Chief Justice Warren of the Supreme Court in 1954 ruled that separated education are unequal. This land mark civil rights case opened the doors for integrated public education for all people who are citizens no matter their race. It took 20 years after this case for the save ruling to be applied for children with disability. Brown vs. Topeka board of education decision gave constitutional footing for parents with children with disabilities.

Pennsylvania association for Retarded Children (P. A. R. C) vs commonwealth of Pennsylvania was a lawsuit filed against Pennsylvania to address the issues for education with children with a disability. During this case Dr.

Dybwad referenced the Brown vs board of education decision and stated that the case ruling had possibilities for children with disabilities. All three of these cases, the plaintiffs argued that their clients rights were violated under the equal protection clause, the fourth amendment and the due process clause.