

The Arc of Pennsylvania

Timeline of Legislative & Legal Actions 1954-2001

The organized statewide efforts of the Arc of Pennsylvania have created a very visible and vocal presence to impact state policy and legislation. These are a few of the positive system changes that we have effected over the past 50 years.

1954 - Legislation is passed which permits public schools to provide classes for children with IQ scores under 50.

1955 - PARC and State government officials tour state institutions, discovering severe overcrowding and long waiting lists. Legislation is passed to establish State-supported interim care facilities.

1965 - With PARC's advocacy efforts, the first Phenylketonuria (PKU) newborn screening bill passes the State Legislature.

PARC Consent Decree

1969 - The battle for the *Right to Education* starts with PARC filing litigation against the Commonwealth of Pennsylvania.

1972 - The final *Right to Education* stipulation, a consent decree between PARC and the Commonwealth of Pennsylvania, is signed. This decree guarantees a free public school education to all school-age children.

Pennhurst Litigation

1975 - PARC, alleging adverse and dangerous conditions at Pennhurst State School and Hospital, joins the *Halderman v. Pennhurst* suit as a plaintiff-intervenor.

1977 - U.S. District Court Judge Raymond J. Broderick agrees with PARC that Pennhurst Center is not a suitable environment for its residents and, in a landmark decision, finds the institution to be in violation of the civil rights of the residents. The Commonwealth is ordered to replace Pennhurst with appropriate programs in the community.

1987 - Pennhurst Center is officially closed after an 11-year battle between ARC, advocates and the Commonwealth.

Western Center Litigation

1989 - ARC-PA enters litigation against the Commonwealth to improve the health and safety conditions at Western Center.

1993 - In 1993 the U.S. District Court approves a settlement in *Richard C. v. Snider*, a class-action suit filed in 1989 on behalf of the residents of Western Center. This settlement requires the DPW to evaluate Western Center residents to determine appropriateness for community living.

Education/Inclusion

1990 - The ARC-PA, along with other statewide organizations, files a class-action lawsuit against the Department of Education for failure to provide inclusive education and best practices for students with disabilities.

Embreeville Litigation

1994 - The Arc, in conjunction with PA Protection and Advocacy, files a class action suit against Embreeville State Center. The suit states that living conditions violate the rights of residents in regard to active treatment and adequate living arrangements as well as freedom from harm and restraints.

On June 30, 1994, The Arc, along with the Public Interest Law Center of Philadelphia (PILCOP) and a variety of disability agencies, files a statewide lawsuit on "Inclusion" against the State's Department of Education. This lawsuit targets students who were unnecessarily segregated in separated classrooms and schools.

Police Training – MacArthur v. Harrisburg Police Department

2000 – The Arc of PA joins *MacArthur v. Harrisburg City Police Department*, a lawsuit filed in response to incidences in which the Harrisburg City Police Department's mishandling of a situation with a man with autism and mental retardation caused the man to suffer physical injuries. The settlement of this lawsuit led to improved training in disability issues for all City police officers

Direct Care Salary Initiative

2000-2001 - The Arc of PA, as a member of the MH/MR Coalition, advocates successfully for the inclusion of \$17.5 in new dollars in the OMR budget to address direct care salary, recruitment and retention issues that negatively impact the safety and quality of community based services for individuals with mental retardation.