

Choosing the least restrictive environment (LRE):

What does it mean?

How does the IEP Team decide?



What does Least Restrictive Environment mean?

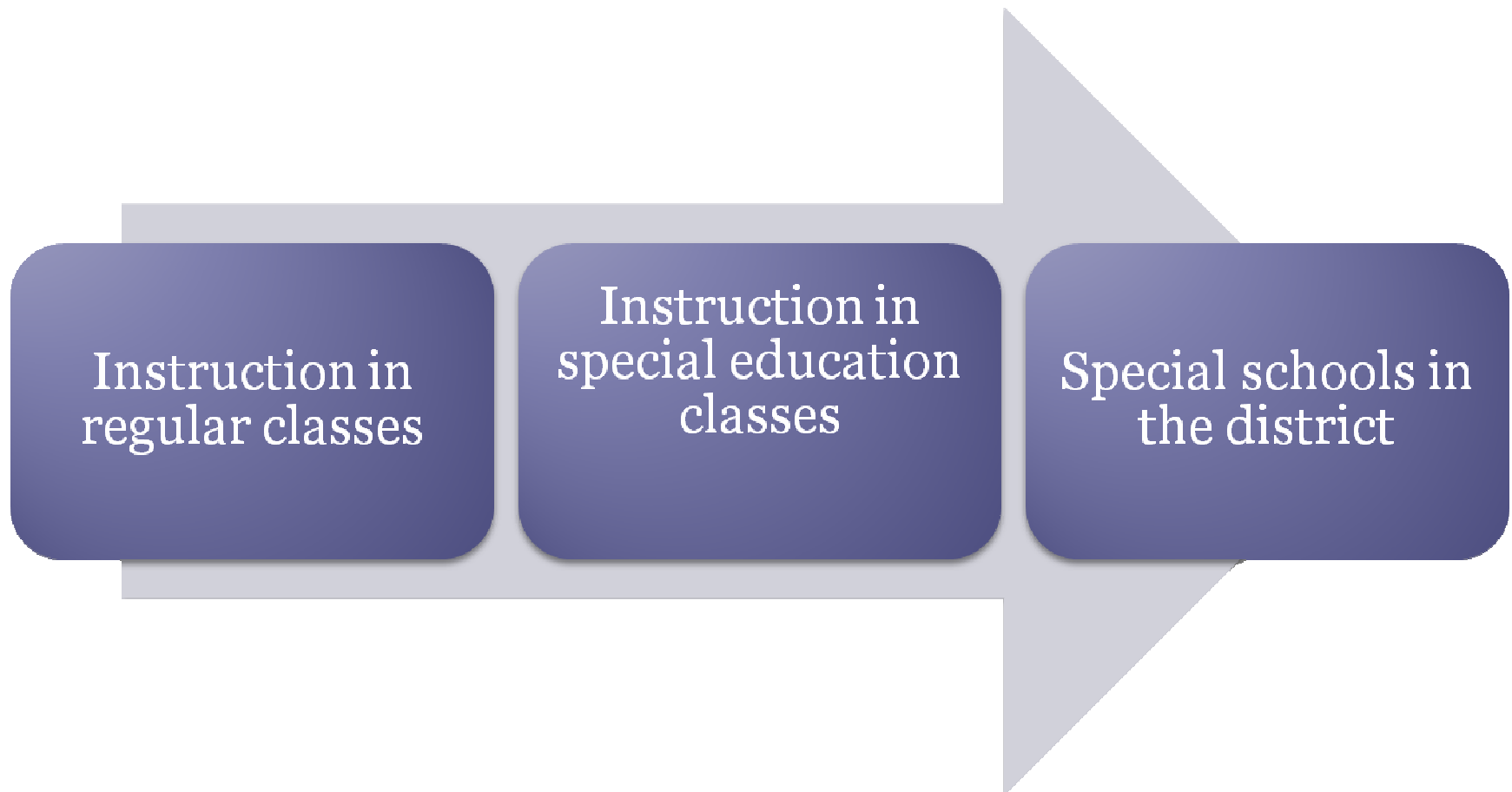
IDEA requires that districts maintain or make available a continuum of placements (places, not services) to students with disabilities. The least restrictive of all placements is full integration with non-disabled students in the general education setting. This placement does not always permit the delivery of a free appropriate education (FAPE) to students with disabilities. FAPE is the most important thing.



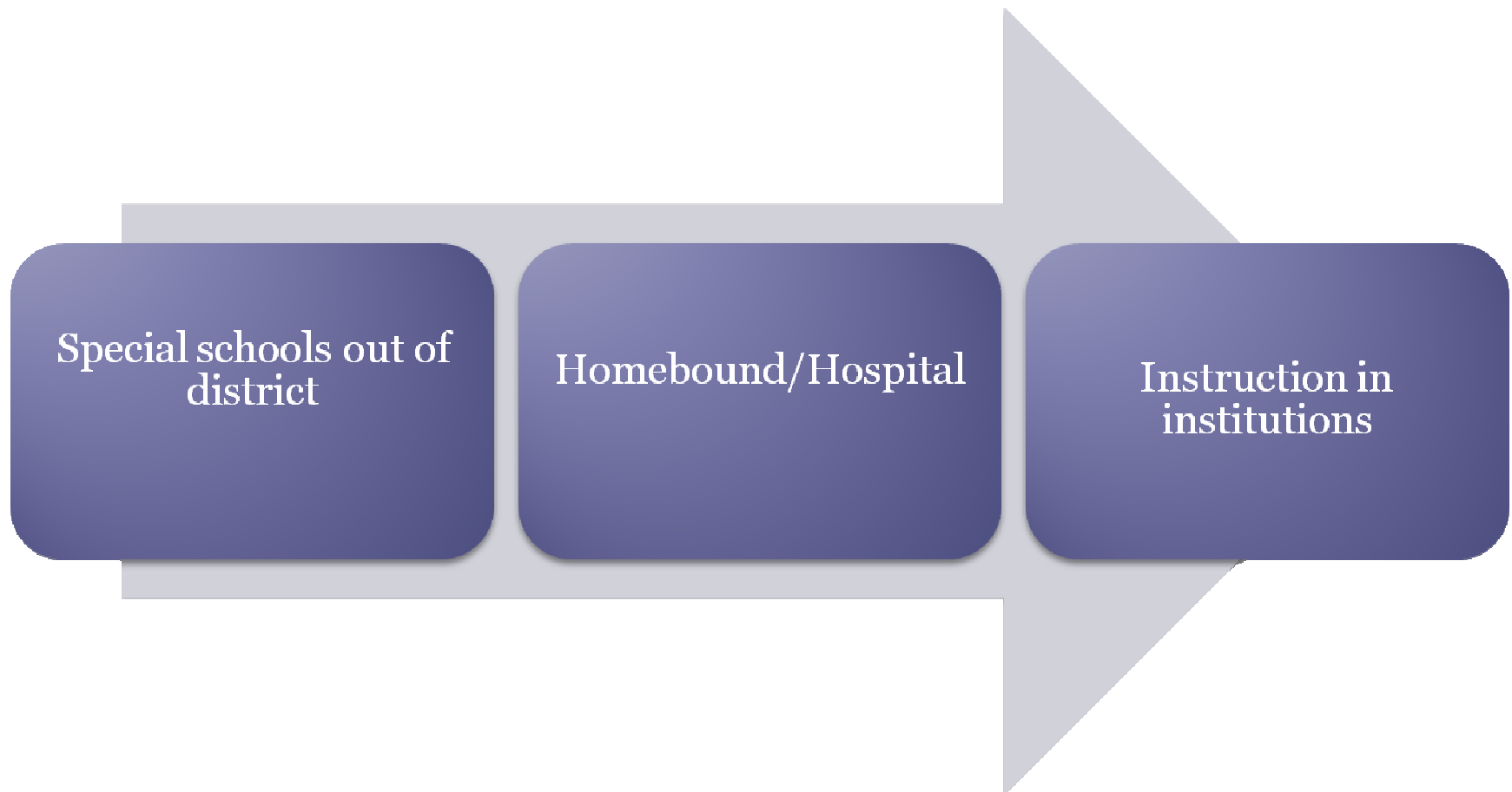
The IEP Team's Job

- Consider the child's needs and services and determine the least restrictive environment in which the child can get an education that is appropriate. Each student needs to be placed in the environment that is most likely to provide meaningful educational benefits.
- What are the IEP Team's choices? There is a continuum of placements, least restrictive to most restrictive.

The Continuum



The Continuum, continued





What does the law say about LRE?

The IDEA statute states a preference for the general education setting:

“...to the maximum extent appropriate, children with disabilities be educated in regular classes with their nondisabled peers with appropriate supplementary aids and services.”



Case law has more to say about the LRE:

- "The least restrictive environment is the one that, to the greatest extent possible, satisfactorily educates disabled children together with children who are not disabled, in the same school the disabled child would attend if the child were not disabled."
- From N.R. v. Kingwood Township (U. S. Court of Appeals for the Third Circuit, 2000)



The court, in N.R. v. Kingwood Township, concluded:

- "Specifically . . . a satisfactory IEP must provide "significant learning" and confer "meaningful benefit."
- "We have interpreted this mandate to require that a disabled child be placed in the least restrictive environment (hereinafter "LRE") that will provide him with a meaningful educational benefit."




The IEP Team's Job...

- So, the court tells us that the IEP Team is charged with deciding what is the least restrictive environment in which the child can do significant learning and having meaningful educational benefit.
- It could be anywhere on the continuum.
How does the IEP Team decide?



Where can the IEP be implemented

- To provide significant educational progress and meaningful benefit?
- The first line of inquiry is, “Can the IEP be implemented in the general education setting with supplemental aids and services?”
- Supplementary aids and services include modifications to the regular class curriculum, assistance of a teacher with special education training, special education training for the regular teacher, use of computers, peer supports, behavior supports, modifications to the classroom environment.




What factors are considered in selecting the LRE?

Each placement must be individually determined based on the students abilities and needs.

Things to consider:

- the educational benefits available to the disabled student in a traditional classroom, supplemented with appropriate aids and services, in comparison to the educational benefits to the disabled student from a special education classroom;
- the non-academic benefits to the disabled student from interacting with nondisabled students; and the degree of disruption of the education of other students, resulting in the inability to meet the unique needs of the disabled student.

However, school districts may not make placements based solely on factors such as the following: category of disability, severity of disability, configuration of delivery system, availability of educational or related services, availability of space, or administrative convenience.



The IEP must explain why if the LRE is not general education setting full time.

- The IEP must include "An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and other nonacademic areas." 20 USC 1414(d)(1)(A)(i)