

A PEATC

Do You Know....



Factsheet for Virginia's Parents Education in the Least Restrictive Environment (LRE)

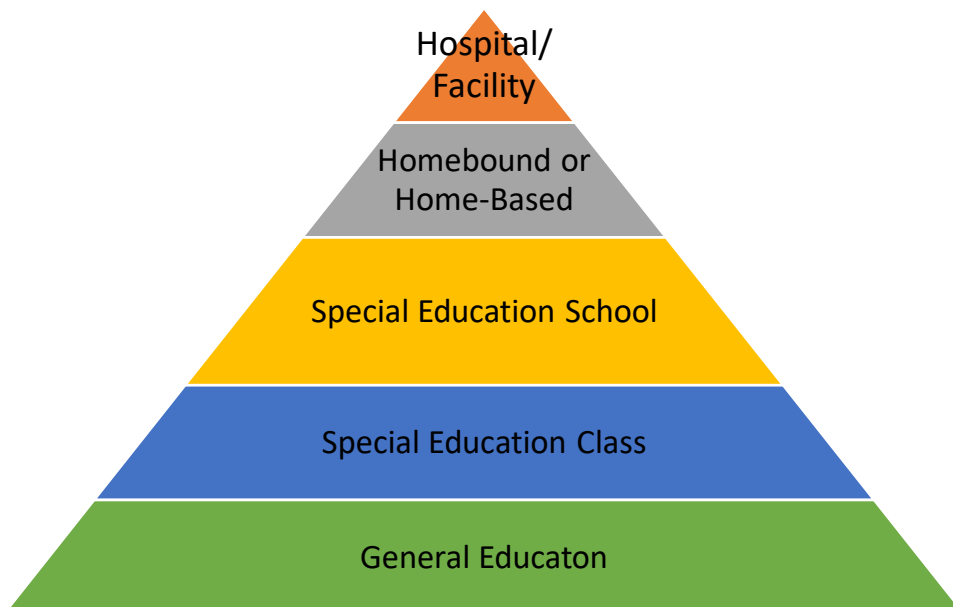
What does Least Restrictive Environment (LRE) Mean?

Least Restrictive Environment (LRE), refers to the federal **Individuals with Disabilities Education Act** (IDEA) requirement that students with disabilities (preschool through secondary school) be educated with their peers who do not have disabilities to the maximum extent appropriate. IDEA requires **that children with disabilities not be placed in special classes or separate schools unless the nature and severity of their disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily**. LRE also applies to participation in non-academic activities such as recess, extra curriculums, etc.

What Are the Placement Options Available to My Student?

Your student's **IEP can be implemented** in a variety of placements. This is called a **continuum** and it is mandated under IDEA. The IEP team starts with the presumption of educating the student in the general education classroom (less restrictive setting) and then if needs dictate, may place him in a more restrictive setting.

Continuum of Placements



Resources on Least Restrictive Environment

Virginia Department of Education
Parents Guide to Special Education
www.doe.virginia.gov/special_ed/parents/parents_guide.pdf

Regulations Governing Special Education Programs
www.doe.virginia.gov/special_ed/regulations/state/regs_speced_disability_va.pdf

Center for Parent Information and Resources
www.parentcenterhub.org/placement-lre

TTAC Online
Starter Set of Resources on LRE
<https://bit.ly/2Jb26Ca>

TASH
<https://bit.ly/2WS79Yv>

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Factsheet for Virginia's Parents

What are the Rules Related to LRE?

If the IEP team (which includes you) **proposes a placement other than the general education classroom**, it must provide *Prior Written Notice*, explaining the placement options that were considered and the reasons for rejecting those options. **The IEP must document the reason for a placement** other than the one the student would have if he/she did not have a disability. The Notice must also state why your student's disability prevents them from being educated in the general education classroom even with the use of **supplementary aids and services**.

LRE is not a one size fits all. The LRE for one student will be different than that of another. Further, a **more restrictive placement may be temporary**. For example, if your student has just gotten out of the hospital, he/she may need homebound instruction until they can return to school. Your student may need a **mixed placement**. They may be able to meet their math goals in general education, but not their reading goals, even with supplementary aides and services. The IEP team should work to achieve consensus on the most appropriate placement or mix of placements. The Courts have found that the **need to modify the curriculum** is not sufficient reason to remove a student from the general education classroom, and that non-academic factors can be considered in determining LRE (e.g., socialization benefits). In addition, a school **cannot make placement decisions** based on:

- **type of disability** e.g., all students with Autism go to the Autism class.
- the **availability** of educational or related services, including financial resources, e.g., we can't afford a classroom aide.
- **availability of space**, e.g., there are no extra classrooms for pull-out; or
- **administrative convenience** e.g., it's easiest for us to have all students with learning disabilities at AAA School where we have a full-time teacher.

If you are unable to come to agreement on LRE or other placement considerations for your child, there are dispute resolution options available to you.

www.doe.virginia.gov/special_ed/resolving_disputes/parents_guide_dispute_resolution.pdf

More About LRE

IDEA states that a **student's placement** (the setting(s) in which they receive special education and related services) be **determined every year and be as close as possible to the student's home, and be the school the student would attend if he/she did not have a disability** (unless the IEP says otherwise).

Supplementary aids and services must be considered when determining placement.

These are intended to be provided in all school settings where students with disabilities may need extra help to participate in academic and other activities with their nondisabled peers. Supplementary aids and services include, but are not limited to, curriculum/testing modifications and accommodations, direct services, social or behavioral supports, environmental modifications, and staff training and support.

PEATC's mission focuses on building positive futures for Virginia's children by working collaboratively with families, schools and communities to improve opportunities for excellence in education and success in school and community life.

For more information about us, please contact:

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