

A PEATC

Do You Know....



Factsheet for Virginia's Parents Least Restrictive Environment (LRE) in Early Childhood Programs

What does Least Restrictive Environment (LRE) Mean?

Least Restrictive Environment (LRE), refers to the federal **Individuals with Disabilities Education Act** (IDEA) requirement 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.*” This means that your child should be educated with his/her nondisabled peers to the maximum extent appropriate, including in afterschool and extra-curricular activities.

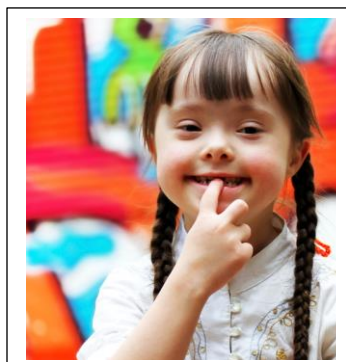
How Does LRE Apply to Early Childhood Education Settings?

Children with disabilities, ages 2-5, who are eligible for special education preschool services under IDEA, will have an Individualized Education Program (IEP). This program of specialized instruction can take place in many different environments. The U.S. Department of Education Office of Special Education Services issued a policy letter stating that **all young children with disabilities should have access to inclusive, high quality early childhood programs** where they are provided with individualized and appropriate supports that allow them to meet high expectations.

What Type of Settings are Available?

The school division must ensure that your preschooler receives a **free appropriate public education (FAPE) in the LRE** where the child's unique needs can be met, even if the school division doesn't operate public preschool programs for children without disabilities. The following are considered regular early childhood programs:

- ✓ A public or private preschool
- ✓ A public or private kindergarten
- ✓ A community-based child-care/development center
- ✓ A Head Start program



Resources on Least Restrictive Environment in Early Childhood

Early Childhood Technical Assistance Center

<https://ectacenter.org/topics/inclusion/tools.asp>

U.S. Dept. of Education

*Dear Colleague Letter on Preschool
Least Restrictive Environment*
<https://bit.ly/3fWE3gz>

Virginia Department of Education

Parents Guide to Special Education
http://www.doe.virginia.gov/special_ed/parents/parents_guide.pdf

Early Childhood Inclusive Practices
- www.doe.virginia.gov/early-childhood/curriculum/inclusion

For more information on rules that apply to LRE, see PEATC Fact Sheet on *Education in the Least Restrictive Environment*.

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Factsheet for Virginia's Parents

What are Some of the Placement Considerations?

If your school division does not operate a public preschool program, it must explore options to make sure that your child is educated in the LRE. This can include the places described previously and it can include your home. If the school decides that placement in a private preschool is needed to provide FAPE, it will be at no cost to you.

If your child is identified as having a disability while already in a regular preschool program, including one not operated by the school division, the IEP team, which includes you and may include the child's current teacher, must consider whether there will be a harmful effect to your child and on the quality of services that he needs, before removing him from the current setting to a more restrictive setting. The IEP team must also consider whether the school division, in collaboration with the regular public preschool program, can ensure that your child receives all of the special education and related services and supplementary aids and services included his IEP to meet his unique needs.

For children already attending a private preschool program, the school division is only responsible for the costs associated with delivery of special education and related services in that setting. It is not required to pay the cost of tuition to attend the program.

If your child's IEP cannot be met in a regular preschool program, even with supplementary aids and services, then other settings will be explored, including special education preschool classes that may be offered by your school division or a private special education preschool program. Be sure to discuss all available options.

The Early Childhood Technical Assistance Center has a questionnaire designed to help IEP teams make placement decisions that will ensure FAPE. You can access that document here: <https://ectacenter.org/~pdfs/topics/inclusion/team-decisions-guiding-questions.pdf>

More LRE Requirements

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

If the IEP team proposes a placement other than a regular preschool program, it must provide Prior Written Notice, explaining the placement options that were considered and the reasons for rejecting those options. **The IEP team must document the reason for a placement other than the one the child would have if she did not have a disability.** See PEATC Fact Sheet on *Prior Written Notice*.



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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