

LEAST RESTRICTIVE ENVIRONMENT

Least Restrictive Environment Provisions

According to Article 7

1. To the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated **with nondisabled students**.
2. Special classes, separate schooling, or other removal of students from the general education environment occurs **only if** the nature and severity of the disability is such that education in general education classes using supplementary aids and services **cannot** be satisfactorily achieved.
3. The **CCC determines the placement** in which a student will receive services.

The Student's Placement is

- a) based upon the student's IEP
- b) reviewed at least annually; and
- c) in the school that the student would attend if not disabled, unless the IEP requires some other arrangement.

Spirit of the Law: Access to the General Education Curriculum

Article 7 mandates the Case Conference Committee's actions around determination of where the student will receive instruction and services towards their IEP goals, their Least Restrictive Environment.

The decisions made by this team start from the premise that the student is first considered to be a general education student, with access to general education curriculum and participation with non-disabled peers. Based upon the student's current data, the CCC provides rationale for the decision. This is documented in the student's IEP.

The student's IEP should describe the means to access the general education curriculum, if appropriate. This access allows the student to make progress toward educational standards that apply to all students. Access can be supported through the implementation of accommodations, modifications, assistive technology, and other aids and services.

The case conference committee should consider the potential harmful effects and discuss plans to reduce any negative impact.

- Does the placement/quality of service limit access to the general education environment?
- Are there social implications?
- Are there emotional or behavioral implications?
- Are there academic skill considerations?

Correcting Common Misconceptions of Least Restrictive Environment (LRE)

- ❖ Least Restrictive Environment data is provided by each corporation's December 1st Child Count.
- ❖ Least Restrictive Environment does not determine funding. (Funding is determined by the student's area of eligibility.)
- ❖ Least Restrictive Environment is not based on identified disability area(s).
- ❖ Least Restrictive Environment and Services are not the same thing. (LRE is a description of the level of access to and participation in the grade level curriculum with non-disabled peers.)
- ❖ Least Restrictive Environment does not describe the type of classroom.
- ❖ LRE Percentage Calculations are based on instructional time in the general education environment.
- ❖ Calculations may include lunch and recess periods as instructional time when skill development of an IEP goal occurs at those times.
- ❖ Compute the LRE percentage as the time a student is in the general education environment for instructional purposes, not the percentage of special education services the student receives.

LRE Codes and Descriptions

In Indiana, school age LRE codes range from 50 (80% or more in general education) to 57 (homebound services). Codes for early childhood students are also included.

LRE School Age Codes

50	80% or more instruction in general education
51	40%-79% instruction in general education
52	Less than 40% instruction in general education
53	Separate Day School Facility (+50%)
54	Residential Facility
55	Correctional Facility
56	Parentally Placed in Private School
57	Student disability requires home services as determined by case conference committee

LRE Early Childhood Codes

26	In a regular early childhood program at least 10 hours per week and receiving the majority of services there
27	In a regular early childhood program at least 10 hours per week and receiving the majority of services in some other location
28	In a regular early childhood less than 10 hours per week and receiving the majority of services there
29	In a regular early childhood program less than 10 hours per week and receiving the majority of services in some other location
33	Separate class
34	Separate school
35	Residential facility
36	Service Provider location or some other location not in any other category
37	Home
38	Child is parentally placed in a private preschool (a private preschool includes only those preschools attached to a private elementary school)

Continuum of Services



- Full time Home Bound Instruction
- Full time Residential Placement
- Full time day special school
- Part time special school & part time regular school
- Full time special class in regular school
- Part time special class/part time regular class
- Full time regular class with some out of class support and some in-class support
- Full time regular class with in-class support
- Full time in regular class

Districts are required to offer a full continuum of services.

Services may or may not be geographically located within the district!

Guidelines for Student Placement

Student placement is based on:

- Present Levels of Performance
- Relevant Data
- Educational Needs
- Annual Goals
- Progress Monitoring Data
- CCC Discussion and Decision
- Services/Supports Needed to Meet Educational Goals

Student placement is NOT based on:

- Eligibility Area
- Classroom Type
 - (Resource, Pull-out, etc.)
- Teacher Schedule
- Master Schedule
- Existing Services
- Funding

Educational Environments

In general, an educational environment is characterized by the curriculum taught, the students present, and the teacher providing access. If general education curriculum is taught, general education students are present, and the teacher is highly qualified in the subject area(s), the environment may be properly described as general education. Questions arise when the percentages of students are considered. There is no guidance from the state or federal law regarding the maximum percentage of special education students in a general education setting. OSEP (Office of Special Education Programs) suggests that the percentage of students with IEPs in the class matches the same percentage of students with IEPs in the school.

Data Driven LRE Decisions

From the initial evaluation through monitoring progress on goals, there is an expectation that all decisions made in the IEP are supported by data. Data can be any student specific information gathered including, but not limited to, achievement scores, grades, observations, anecdotal records, and student input.

Examples of Decision-making Data:

Grades, Test Scores

Skill specific data

Use of accommodations

Personal Care

Independent Living Skills

Evidence of Self-advocacy Skills

Evidence of Responsibility Skills

Input from Previous Instructors

Student Input

Organizational Skills

Employability Skills

Discipline Documentation

Evidence of Social Skills