



LEAST RESTRICTIVE ENVIRONMENT



WHAT IS THE “LEAST RESTRICTIVE ENVIRONMENT” (LRE) REQUIRED BY THE IDEA?

- The Individuals with Disabilities Education Act (IDEA) is founded on the basic principle that students with disabilities should attend the school in their neighborhood **and** be integrated, to the maximum extent possible, with students without disabilities

HOW IS LRE DETERMINED?

- The least restrictive environment is determined in a step-by-step process that starts with the assumption that the student will attend a mainstream classroom in his/her neighborhood school
- First, the Individualized Education Program (IEP) team looks at whether the student’s placement in the regular classroom can be achieved satisfactorily
 - The IEP team must assess the following factors:
 - Can supplementary aids and services be used to accommodate the student in a mainstream classroom in his/her neighborhood?
 - In considering a range of placement and support services, how do the academic benefits of the mainstream classroom compare with the benefits of the more segregated classroom?
 - What is the student’s overall experience in general education, including nonacademic benefits?
 - What will be the effect of the student’s presence on the mainstream classroom?
- Second, if the IEP team determines that educating the student in the mainstream classroom is not appropriate, the team must still try to mainstream the student to the maximum extent appropriate, such as during recess, assemblies, special outings and events, etc.
- **The IEP team may consider more restrictive environments ONLY AFTER weighing the above factors and rejecting a less restrictive environment**

WHAT ARE SUPPLEMENTARY AIDS AND SERVICES?

- Items and services the school can provide to accommodate students with disabilities and allow them to remain in the mainstream classroom
- They **MUST** be considered when making a LRE determination
- Examples include: assistance of a part-time instructor with special education training, special education training for the regular classroom teacher, modification of some of the academic curriculum to accommodate the student's disabilities, parallel instruction to allow the student to learn at his/her academic level, provision of a part-time aide or para-professional, and use of a therapeutic ball to sit on.

WHO IS ON THE IEP TEAM?

- The IEP team is the group who will determine the student's LRE. The IEP team includes:
 - The student, if appropriate
 - The student's parents
 - At least one general education teacher (if the student is or may be in a mainstream classroom)
 - At least one of the student's special education teachers
 - A representative of the school district who is knowledgeable and qualified about the student and special education
 - An individual who can interpret how the information from evaluations can impact the student's education
 - Other individuals with knowledge or expertise, at the invitation or direction of the student's parents or the district
 - A service coordinator or representative from Part C system (if the student has received Part C services,

***** DISCLAIMER: This is not intended as legal advice, but rather for informational purposes only. Always consult a lawyer if you have questions about your legal rights. *****

References:

The Everyday Guide to Special Education Law: A Handbook for Parents, Teachers, and Other Professionals, by Randy Chapman, Esq.

Randy Chapman's Ability Law Blog, <http://randychapman.wordpress.com/>

Disability Law Colorado – www.disabilitylawco.org

Colorado Department of Education – www.cde.state.co.us