Least Restrictive Environment (LRE)

Keya Saleh, LSSP, NCSP
LSSP Consultant
Least Restrictive Environment (LRE)

IDEA Part B Section 300

- Sec. 300.114 — LRE requirements
- Sec. 300.115 — Continuum of alternative placements
- Sec. 300.116 — Placements
- Sec. 300.117 — Nonacademic settings
- Sec. 300.118 — Children in public or private institutions
- Sec. 300.119 — Technical assistance and training activities
- Sec. 300.120 — Monitoring activities
300.114 LRE Requirements

a. General

1. Except as provided in §300.324(d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §§300.115 through 300.120.

2. Each public agency must ensure that—
   i. To the maximum extent appropriate, children with disabilities...are educated with children who are nondisabled; and
   ii. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
300.115 Continuum of Alternative Placements

a. Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

b. The continuum required in paragraph (a) of this section must—
   1. Include the alternative placements listed in the definition of special education under §300.39 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
   2. Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.
In determining the educational placement of a child with a disability...each public agency must ensure that—

a. The placement decision—
   1. Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
   2. Is made in conformity with the LRE provisions of this subpart

b. The child’s placement—
   1. Is determined at least annually;
   2. Is based on the child’s Individualized Education Program (IEP); and
   3. Is as close as possible to the child’s home;
In determining the educational placement of a child with a disability...each public agency must ensure that—

c. Unless the IEP of a child with a disability requires some other arrangement, the child is *educated in the school that he or she would attend if nondisabled*;
d. In selecting the LRE, consideration is given to *any potential harmful effect* on the child or on the quality of services that he or she needs; and

e. A child with a disability is not removed from education in age-appropriate regular classrooms *solely because of needed modifications in the general education curriculum*. 
300.117 **Nonacademic settings**

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in §300.107, each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child’s IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

**Activities from 300.107**

- Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the public agency and assistance in making outside employment available.
300.118 Children in Public or Private Institutions

Except as provided in §300.149(d) (regarding agency responsibility for general supervision of some individuals in adult prisons), a State Education Agency (SEA) must ensure that §300.114 is effectively implemented, including, if necessary, making arrangements with public and private institutions (such as a memorandum of agreement or special implementation procedures).
Except as provided in §300.149(d) (regarding agency responsibility for general supervision of some individuals in adult prisons), an SEA must ensure that §300.114 is effectively implemented, including, if necessary, making arrangements with public and private institutions (such as a memorandum of agreement or special implementation procedures).
300.120 Monitoring activities

a. The SEA must carry out activities to ensure that §300.114 is implemented by each public agency.

b. If there is evidence that a public agency makes placements that are inconsistent with §300.114, the SEA must—
   1. Review the public agency’s justification for its actions; and
   2. Assist in planning and implementing any necessary corrective action.
LRE Continuum

- **Least Restrictive**
  - Descriptors Used
    - Full Gen Ed
    - Inclusion
    - Mainstreamed

- **Most Restrictive**
  - Descriptors Used
    - Sped Support
    - Resource Support
    - Self-Contained
    - Residential Placement
    - Homebound
Inclusive Education

**Exclusion** occurs when students are directly or indirectly prevented from or denied access to education in any form.

**Segregation** occurs when the education of students with disabilities is provided in separate environments designed or used to respond to a particular or various impairments, in isolation from students without disabilities.

**Integration** is a process of placing persons with disabilities in existing mainstream educational institutions, as long as the former can adjust to the standardized requirements of such institutions.

**Inclusion** involves a process of systemic reform embodying changes and modifications in content, teaching methods, approaches, structures and strategies in education to overcome barriers with a vision serving to provide all students of the relevant age range with an equitable and participatory learning experience and environment that best corresponds to their requirements and preferences.

Placing students with disabilities within mainstream classes without accompanying structural changes to, for example, organisation, curriculum and teaching and learning strategies, does not constitute inclusion. Furthermore, integration does not automatically guarantee the transition from segregation to inclusion.

Grindal et al (2016)
Inclusive Education

- Barriers to Inclusive Practices
  - Misconception of student abilities
  - Inadequate teacher prep
  - Logistical Challenges
Inclusive Education

- Keys to Successful Inclusive Environments
  - Buy-in from Gen Ed/Admin
  - Understanding of the Practice
  - Training and Tools
  - Access to Supports/Personnel

Image Credit: Arek Socha @ Pixabay
Special Education Settings

- Sped Is A Program, Not A Place
  - Who Is Being Served?
  - Who Is Providing The Services?
- Required to Provide Appropriate Services
  - Specialized Personnel
  - Individualized Needs
  - Context of the Needs
Factors to Consider

Good Questions for LRE determination:

- IEPs defined supports and services
- Benefits of Gen Ed vs. Sped
- Non-Academic Benefits
- Disruption of Other Students

Bad Questions for LRE Determination:

- Students Disability Category
- Current Staffing
- What Is Best for Parents/Staff

Further Resources

- Understood.org
  - Least Restrictive Environment: What You Need to Know
- Legal Framework
  - LRE State and Federal Regulations
- Partners Resource Network
  - LRE - Key Definitions in IDEA
  - Least Restrictive Environment, Mainstreaming, and Inclusion
Sources


Questions?

Keya Saleh
Consultant
Evaluation/LSSP
Special Populations
Phone: 972-348-1598
Email: keya.saleh@region10.org
Twitter: @getschoolpsychd

Many Thanks!