



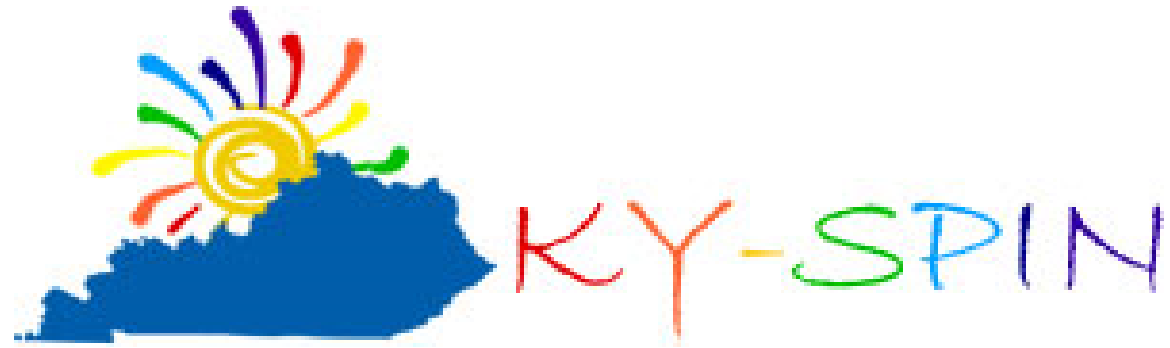
Preparing for the Admissions Release Committee  
(IEP TEAM) Meeting Series  
Session 4

**Least Restrictive Environment Decision-Making**

Part of the Building the Legacy training curriculum developed by NICHCY, 2007 |  
Updated by CPIR, 2016 – Adapted & presented for Kentucky by KY-SPIN

# Kentucky Special Parent Involvement Network (KY-SPIN ) Parent Training & Information (PTI) Center

Funded by the U.S. Dept. of Education under IDEA since 1988 when Kentucky first received a PTI. KY-SPIN Parent Center provides training, information and support for children and youth with all types of disabilities (birth through 26 years old), their parents, families and professionals.



We do NOT:  
Act as Attorneys

We DO:

- ♥ Empower Families to Effectively Advocate for their Children
- ♥ Provide “peer to peer” support to help families access needed information and resources



# Contents of the Series:

- 1) The IEP Team: Who's a Member?
- 2) Content of the IEP
- 3) Meetings of the IEP Team
- 4) Least Restrictive Environment  
Decision Making

# Words to Know:

**Admissions Release Committee (ARC)**- a group of individuals “responsible for developing, reviewing, or revising an individual education program (IEP) for a child with a disability.” Required membership of an ARC include the parents of the student, a regular education teacher of the student, a special education teacher knowledgeable of the student or the disability, a district representative, as well as related service personnel and the student when appropriate

**Prior Written Notice (PWN)**- Written notice provided to parents each time the school proposes to take or refuses to take in certain actions.

- Initiate or change the identification, evaluation, or educational placement of your child;
- Proposes to initiate or change the provision of FAPE to your child (that’s a **Free Appropriate Public Education**);
- Refuses to initiate or change the identification, evaluation, or educational placement of your child;
- Refuses to initiate or change the provision of FAPE to your child



# Words to Know:

State Education Agency (SEA)- Kentucky Department of Education

Local Education Agency (LEA)- Local School District

Supplementary Aids and Services- aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate

IAES- Interim Alternative Educational Setting

Least Restrictive Environment (LRE) refers to the setting where a child with a disability can receive an appropriate education designed to meet his or her educational needs, alongside peers without disabilities to the maximum extent appropriate



# Today's Agenda:

- Defining Least Restrictive Environment (LRE)
  - Requirements (§300.114)
  - Continuum of alternative placements (§300.115)
  - Placements (§300.116)
  - Nonacademic settings (§300.117)
- Role of “Supplementary Aids and Services” in Supporting Participation of Children with Disabilities
- Factors to Consider in LRE Decision Making
- Resources to Support Children in the LRE

# Defining LRE

Defining LRE

Each public agency must ensure that—

- To the maximum extent appropriate, children with disabilities are educated with children who are nondisabled

*and...*

§300.114 LRE requirements.

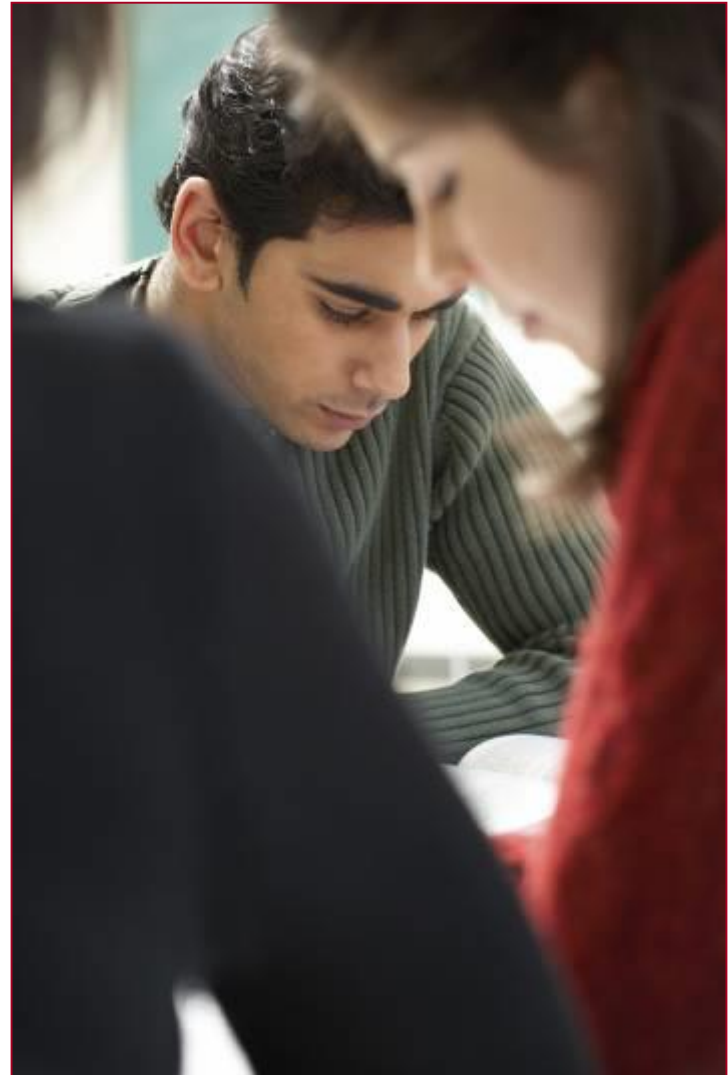




# Defining LRE

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



# Defining LRE

## Placement-Neutral Funding



States must *not* use a funding mechanism that distributes funds based on *the type of setting* in which a child is served (§300.114), if doing so leads to a violation of LRE requirements

Placement decisions *must* be based on a child's unique needs and IEP, *not* on administrative convenience, disability/program label, or allocation of funds

# Defining LRE

## Continuum of Alternative Placements

...includes instruction in:



# Defining LRE

## Placement Decisions

Placement decisions are made by a group of persons, including the parents, who are knowledgeable:

- About the child
- The meaning of the evaluation data
- The placement options



# Defining LRE

## Placements

- The child's placement is determined at least annually
- Is based on the child's IEP
- Is as close as possible to the child's home
- Unless child's IEP requires another arrangement, child is educated in the school that he or she would attend if nondisabled





# Defining LRE

- Consideration must be given to any potential harmful effect on the child or on the quality of services that he or she needs
- A child with a disability may not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum



[www.parentcenterhub.org/lre-resources/](http://www.parentcenterhub.org/lre-resources/)

[§300.116\(d\)-\(e\)](#)

# Placement in Certain Circumstances

- During the Appeals Process
- Discipline Procedures

## **Placement and School Discipline**

[www.parentcenterhub.org/disciplineplacements/](http://www.parentcenterhub.org/disciplineplacements/)

## **IDEA's Regulations on Discipline**

[www.parentcenterhub.org/disciplinereg/](http://www.parentcenterhub.org/disciplinereg/)

## **Placement and School Discipline**

[www.parentcenterhub.org/disciplineplacements/](http://www.parentcenterhub.org/disciplineplacements/)

## **Child's Placement During the Appeal Process**

[www.parentcenterhub.org/pendency/](http://www.parentcenterhub.org/pendency/)

## **IDEA Sec. 300.536 Change of Placement because of Disciplinary Removals**

[sites.ed.gov/idea/regs/b/e/300.536](http://sites.ed.gov/idea/regs/b/e/300.536)

## **OSEP Questions and Answers On Discipline Procedures**

[www2.ed.gov/policy/speced/guid/idea/discipline-q-a.pdf](http://www2.ed.gov/policy/speced/guid/idea/discipline-q-a.pdf)

## **707 KAR 1:340. Procedural safeguards and State Complaint Procedures**

[apps.legislature.ky.gov/law/kar/titles/707/001/340/](http://apps.legislature.ky.gov/law/kar/titles/707/001/340/)

# Defining LRE

## Participation in Extracurricular and Nonacademic Services and Activities

Each public agency must ensure that...

The child has supplementary aids and services determined appropriate and necessary by the child's IEP Team to participate in **nonacademic** and **extracurricular** services and activities

*Meals*  
*Recess, clubs,*  
*Transportation, Athletics,*  
*and more*





# Summarizing LRE

Special education is *not* a place. It's a set of services and supports

*Where* a child with a disability receives special education services is that child's *placement*



The first “where” to consider is...

# What supports are available in the general education classroom?



# Questions and Review

- Each public agency must ensure that—To the maximum extent appropriate, children with disabilities are educated with children who are nondisabled
- Placement decisions *must* be based on a child's unique needs and IEP, *not* on administrative convenience, disability/program label, or allocation of funds
- The frame within which placement determinations *begin* is the regular educational environment
- A child with a disability may not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum



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# If you still have questions...

(800) 525-7746

(502) 937-6894

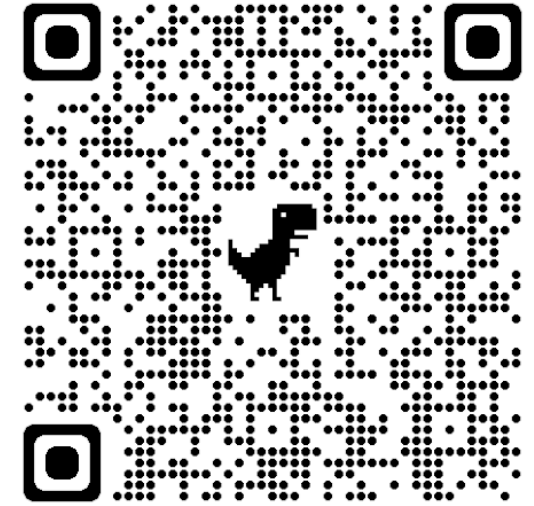
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Information modified from

Center for Parent Information and Resources (CPIR)  
Building the Legacy training curriculum on IDEA 2004

Please complete  
our evaluation



<https://forms.gle/vWaAWjviTG2258Zy9>

