

## Placement and Least Restrictive Environment (LRE)

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November 6, 2024



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## It all starts with FAPE

- School districts must provide each student a free appropriate public education (FAPE) in the least restrictive environment (LRE).
- School districts meet their obligation to provide FAPE to each student with a disability, in part, by developing an individualized education program (IEP), documenting that program clearly in the IEP, and implementing the program.

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## Placement Basics

- Must be determined at least annually, based on the student's individual needs as specified in the IEP
- Must be as close as possible to the student's home; and, unless the student requires some other arrangement, in the school, the student would attend if not disabled.
- In Wisconsin, placements of students with disabilities are made by each student's IEP team.

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## What is Placement?

- Is "placement" the location a student with a disability receives services?
- Is "placement" the services the student is provided at that location?
- Yes, and...



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## Least Restrictive Environment

- Principle that underlies and guides all placement determinations.
- Special education may be provided in a wide variety of settings, including the classroom, the home, hospitals, and other institutions... however...
- To the maximum extent appropriate, students must be educated with students who are non-disabled.
- Removal from the regular education environment should happen only if the nature or severity of a student's disability is such that education in regular classes with the use of supplementary aids and services **cannot be achieved satisfactorily**. Students with disabilities should not be removed from education in age-appropriate regular education classroom environments solely because of needed modifications in the general education curriculum.
- The IEP team must document its placement decision, including its consideration of LRE, in the IEP.



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## Continuum of Alternative Placements

- LEAs must make a continuum of placement options available to meet the needs of students with disabilities.
- Must include regular education schools and classrooms, separate classes, separate schools, residential settings, homebound placements, and hospitals.



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## Inclusion? Least Restrictive Environment (LRE)?

- But what about inclusion? Isn't this the same as the LRE?
- Let's start with Inclusion.
- The terms "LRE" and "inclusion" are related concepts but are not exactly the same.



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## Inclusion and the LRE

- Inclusion is a broader educational philosophy that goes beyond legal requirements.
- It is based on the belief that all students, regardless of their abilities, have the right to be included in the general education environment and to participate in the same curriculum and activities as their non-disabled peers.
- Inclusion is not just about physical placement in the classroom but also about creating a culture of acceptance and support that values and includes all students.
- Inclusion does not appear in IDEA



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## So How Does the LRE Support Inclusion

- "Least Restrictive Environment," which is a legal term used in special education that requires that students with disabilities be educated in a setting that is as close as possible to the general education environment in which their non-disabled peers are educated while still receiving the support and services they need to succeed.
- "The Legal Foundation of Inclusion"



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### Least Restrictive Environment and Preschool

Do the federal regulations and state statute regarding LRE apply to preschoolers (age 3-5) with disabilities?

And if so, what does this look like? What makes it different

And how is LRE determined for children are under the compulsory school attendance age of 6 and not in "school"?



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### Continuum of "Preschool Options"

[IDEA Sec 300.115 Continuum or Alternative Placements](#)

- A continuum of alternative placements must be available to meet the special education and related services needs of preschool children with disabilities.



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### Continuum of Placement Options for Preschoolers with Disabilities

- "Natural environment" can be the LRE for a preschool child.
- "Natural environment" concept is borrowed from Part C of IDEA-Early Intervention.
- Flexible concept.
- Includes environments where child would be in ordinary course of life.



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## LRE for Preschoolers

- Natural environment is defined as including a child's home, childcare center or private preschool school and other community settings in which children without disabilities participate.



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## LRE for Preschoolers

- The LRE for preschoolers can be accomplished in a variety of settings.
- School-Based
- Community-Based
- Home



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## Where Are Preschoolers?

- Regular early childhood programs:
- 4K
  - 3-year-old programs/3K
  - LEA Play and Learning groups
  - Early Care and Education (Childcare)
    - Group or Center-Based, Family Care, School-sponsored childcare
  - Head Start
  - Private Preschools
  - Community programs: YMCA ,rec, United Yay, other non-profit organizations
  - Community-parks library



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### Alternative Options

- **Special Education:** Separate class, separate school, hospital, residential setting
- **Home**
- **Service Provider Location**
- **A combination of any of these options**



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### LRE Determination for Preschoolers

- **What questions should the IEP team consider as they determine the placement setting(s) for the delivery of services to a preschooler (age 3-5) with a disability?**



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### LRE Determinations for Preschoolers

- **Where does the child usually spend time during the day? Do any of the settings include typically developing peers?**
- **Where are typically developing children this age in this community?**
- **With the use of supplementary aids and services, can the child's IEP be implemented in the child's current setting(s) and/or other settings with same age peers?**
- **What settings for service delivery will meet the child's needs?**
- **What settings have been considered and rejected? Document this consideration in the IEP**



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## Barriers to Preschool LRE

- Providing special education services in childcare centers located outside of district boundaries
- 3-year-olds and lack of 3-year-old options
- Transportation
- Lack of itinerant staff
- "Undue burden" on the district
  - Travel/distance, staff, drive time, scheduling, etc.



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## Resources

- [Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs \(DHHS and USDE\)](#)
- [Dear Colleague Letter related to Preschool Least Restrictive Environment](#)
- [FAPE in the LRE for Preschoolers \(3-5\) with Disabilities](#)
- [Determining Least Restrictive Environment for a Child](#)
- [Educational Environment Decision Tree for Children Ages 3-5 \(not in Kindergarten\)](#)
- [Making the Move to High Quality Preschool Inclusive Environments](#)



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## Questions?

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