

IT'S A GREAT I.D.E.A!
The Right of Students
with Disabilities to
the **L**east **R**estrictive
Enviornment





WELCOME

We are glad you are here





Family
Driven



Non-Profit
501(c)3

Family Network on Disabilities

We do **NOT**:

act as
Attorneys OR
Doctors

What We **DO**

provide is:
Information,
Resources, and
Support

Thank you and Welcome



**The Individuals with
Disabilities Education Act
is the nation's federal
special education law**





The Six Major Principles of the IDEA

LEAST RESTRICTIVE ENVIRONMENT



Least restrictive environment, or LRE, plays a critical role, influencing where a child spends his or her time at school, how services are provided, and the relationships the child develops within the school and community





Placement and the Least Restrictive Environment (LRE)



KEY TERMS IN LRE





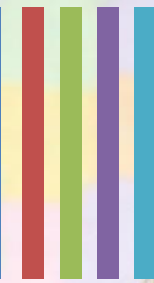
REGULAR EDUCATIONAL ENVIRONMENT





**SATISFACTORILY
EDUCATED**

SUPPLEMENTARY AIDS & SERVICES





WHO DECIDES PLACEMENT?





**HOW DOES THE GROUP
DECIDE PLACEMENT?**

Continuum of Alternative Placements

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

1

GENERAL EDUCATION
FOR ALL SUBJECTS

4

SPECIAL SCHOOL
THE WHOLE DAY

2

GENERAL EDUCATION
FOR SOME SUBJECTS

5

SPECIAL PLACE TO LIVE
AND GO TO SCHOOL

3

SPECIAL CLASSES
FOR ALL SUBJECTS

6

INSTRUCTION AT HOME
OR IN A HOSPITAL

A person wearing a white button-down shirt is seated at a wooden desk. They are holding a white envelope with both hands, looking at it. On the desk in front of them is an open notebook with a pen resting on it. To the left, a portion of a silver laptop is visible. The background is softly blurred, showing a window with light coming through. A blue horizontal banner is overlaid across the middle of the image, containing the text 'NOTIFYING PARENTS' and a decorative graphic of five vertical bars in red, green, purple, and blue.

NOTIFYING PARENTS

Consent for Services and Placement





$$\begin{array}{r} 2 \\ + 9 \\ \hline \end{array}$$

$$\begin{array}{r} 2 \\ + 8 \\ \hline \end{array}$$

$$\begin{array}{r} 7 \\ + 4 \\ \hline \end{array}$$

$$\begin{array}{r} 2 \\ + 3 \\ \hline \end{array}$$

$$\begin{array}{r} 4 \\ + 2 \\ \hline \end{array}$$

$$\begin{array}{r} 9 \\ + 4 \\ \hline \end{array}$$

$$\begin{array}{r} 4 \\ + 3 \\ \hline \end{array}$$

$$\begin{array}{r} 9 \\ + 4 \\ \hline \end{array}$$

$$\begin{array}{r} 2 \\ + 11 \\ \hline \end{array}$$


$$\begin{array}{r} 3 \\ + 7 \\ \hline \end{array}$$

CONCLUSION

Understanding Placement

Once the Individualized Education Plan team has decided what services a child needs, a decision must be made about **where** services will be provided. Where the child's IEP is carried out is called **placement**. Parents have the right to be part of the group that decides the child's placement.

In deciding the child's placement, the group must make sure that the child has the maximum opportunity appropriate to learn with children who do not have disabilities—in academic, nonacademic, and extracurricular activities. This part of IDEA is called **Least Restrictive Environment** or LRE.

Who Makes the Placement Decision?	IDEA also requires that the child's placement is:	Additional requirements in the law include these:	
Under IDEA, the group that makes the placement decision must include the parent(s) and others who: • are knowledgeable about the child • understand the meaning of his or her evaluation data; and • know the placement options. [§300.116(a)]	• determined at least annually; • based on the child's IEP; • as close as possible to the child's home. [§300.116(b)] • Unless the IEP requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled. [§300.116(c)]	• When looking at placement options, consideration must be given to any potential harmful effect on the child or on the quality of services that he or she needs. [§300.116(d)]	 <p>• A child with a disability may not be removed from education in age-appropriate regular classrooms just because he or she needs modifications to the general curriculum. [§300.116(e)]</p>
How Does the Group Decide Among These Options?	What Supports Does the Student Need?		

IDEA has a strong preference for children with disabilities to be educated alongside their peers without disabilities, to the maximum extent appropriate. That's why a student's **placement in the general education classroom is the first option the placement group should consider** (71 Fed. Reg. 46588).

If the group decides that the child's needs can be met in the general education class, with supports, then that placement is the LRE for the child. What aids, services, and supports does the child need to make this possible?

IDEA recognizes that, in many cases, supports must be provided to a child with a disability to enable education in the general education environment, including participation in extracurricular and nonacademic activities and settings.

Supplementary aids and services can be accommodations & modifications to the curriculum under study or the manner in which that content is presented or a child's progress is measured, but that's not all they are or can be. They can also include direct services, as well as support and training for staff who work with that child.

<https://www.parentcenterhub.org/placement-overview/>

SENATE BILL 1108 - Section 1003.5715, F.S., Parental Consent Regarding Placement of a Student in an ESE Center

School districts may not proceed with the placement of a student in an ESE center without parental consent unless the school district documents reasonable efforts to obtain the parent's consent and the parent has failed to respond or the school district obtains approval through a due process hearing.

Except for a change of placement resulting from disciplinary action as described in s. 1003.571(1)(h), F.S., if a school district determines that there may be a need to change a student's IEP with regard to placement, an IEP team meeting must be held. Prior Written Notice of this meeting must be provided with at least 10 days in advance. The parent may waive the 10-day requirement upon receipt of the written notice.

<https://info.fldoe.org/docshare/dsweb/Get/Document-6804/dps-2013-105.pdf>



<https://fndusa.org/esedownload/>
(800) 825-5736

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Access to Inclusive High-quality Early Childhood Programs

The **LRE**, Least Restrictive Environment, requirements under **Part B of the IDEA** states a strong preference for educating children with disabilities in regular classes alongside their peers without disabilities.

Many LEAs don't offer, or offer only a **limited range of public preschool programs**, particularly for three-years-old. In these cases, they must explore alternative methods to ensure the LRE requirements are met.

These methods may include:

- 1) providing opportunities for the participation of preschool children with disabilities in **preschool programs operated by public agencies other than LEA's** (such as Head Start or community-based child care)
- 2) enrolling preschool children with disabilities in **private preschool programs** for nondisabled preschool children.
- 3) locating classes for preschool kids w/disabilities in **regular public elementary schools**, or 4) providing home-based services

Regular Early Childhood Program

The Department of Education defines **Regular Early Childhood Program** as one that includes a majority (at least 50 percent) of nondisabled children (i.e., children who don't have IEP's).

Before a child with a disability can be placed outside the regular educational environment, the **group of people making the placement decision**, including the parents, must consider whether:

Supplementary aids & services

could be provided that would enable the education of the child, including a preschool child with a disability, in the regular education setting to be achieved satisfactorily. 34 CFR §300.114(a)(2)

Because the availability of regular public preschool programs varies across States, the use of State and local funds will also differ across States and LEAs based on the specific circumstances in each State and LEA.

For example,

If an LEA provides universal preschool to all children ages three to five using State & Local Funds, the LEA must use IDEA Part B funds only to pay the excess costs of providing special education & related services to kids w/disabilities in those preschool programs.

fndusa.org/esedownload/
(800)825-5736

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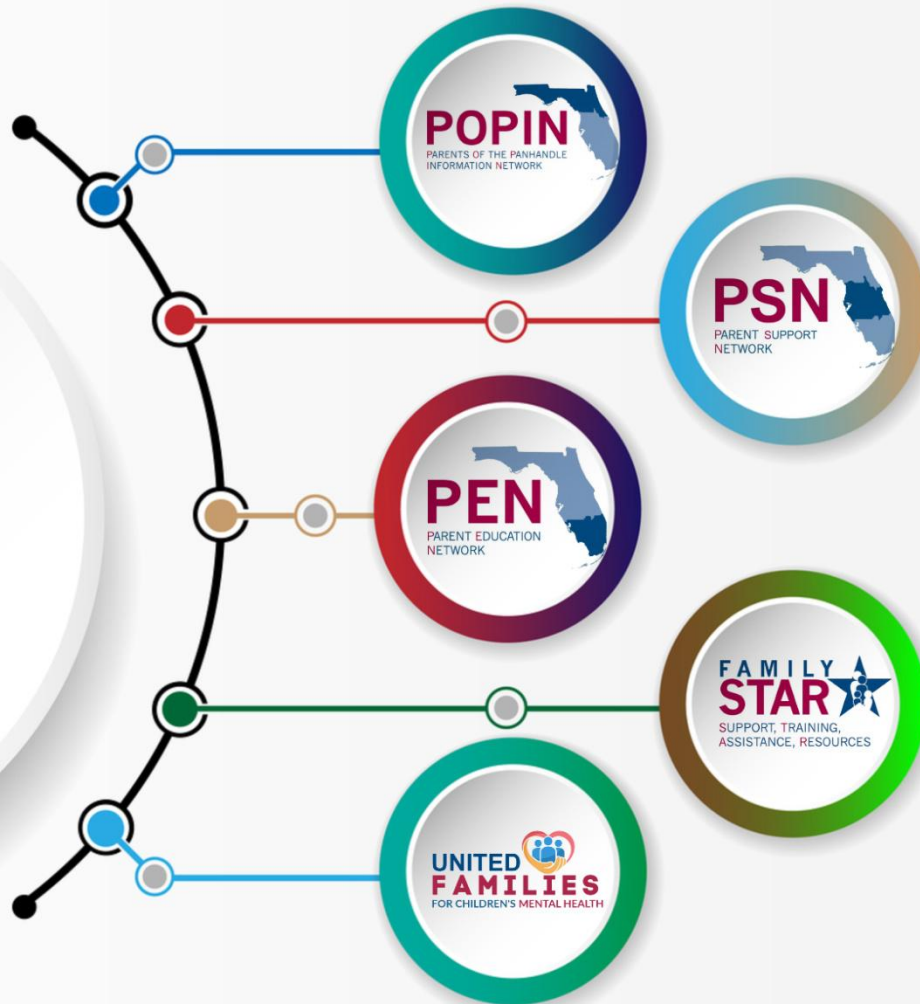
<https://www2.ed.gov/policy/speed/guid/idea/memosdcltrs/preschool-lre-dcl-1-10-17.pdf>

FND



FAMILY NETWORK ON DISABILITIES

founded in 1985 by a group of parents
of children with disabilities who came
together for mutual support and
information-sharing





FAMILY NETWORK ON DISABILITIES

Follow us on Social Media and
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high-quality collection of
resources available with just
one click!

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EN ESPAÑOL

fndusa.org/recursos-educacion-especial/
fndusa.org/salud-necesidades-especiales/



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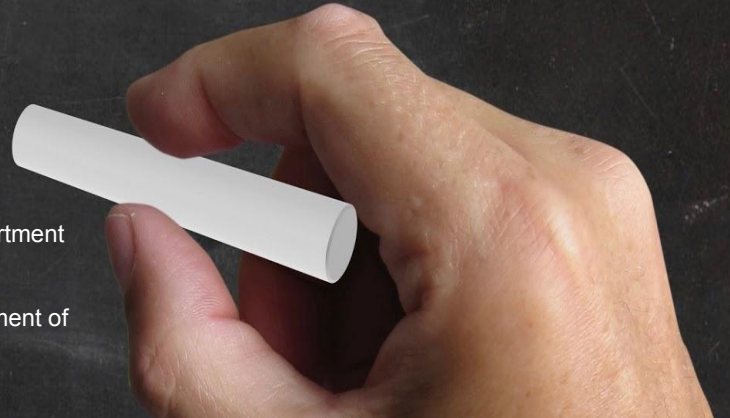
www.fndusa.org

FND UNIVERSITY

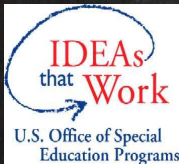
A non-accredited online
system specially
designed to help
parents and
professionals learn
more about special
education at their own
pace.

Available in English and Spanish at,
fndusa.org/fnduniversity/

EVALUATION



The contents of this presentation were developed under a grant from the US Department of Education, #H328M150041, #H328M150041, & #H328M150041
However, those contents do not necessarily represent the policy of the US Department of Education, and you should not assume endorsement by the federal government.
project Officer, David Emenheiser





Thank you!

For more information,
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