New York State Education Department
Office of Special Education

Educational Partnership

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Least Restrictive Environment (LRE)

Individualized Education Program (IEP) Development and the Continuum of Services

Developed collaboratively by the Technical Assistance Partnerships for Academics, Behavior and Equity

New York State Education Department
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Disclaimer

The resources shown are designed to provide helpful information. Resources are provided for instructional use purposes only and do not constitute NYSED endorsement of any vendor, author, or other sources. To the best of our knowledge, the resources provided are true and complete.

Our Staff

Staff Information

Today's Facilitators

Introductions

- Name
- Role
- District
- School
- Population Served

Meeting Norms

- Take care of your needs (water, food, restroom, etc.)
- Speak your truth – Use "I" statements
- Ask what you need to understand and contribute
- Listen with respect
- Push your growing edge
- Participate and struggle together
- Expect a lack of closure
- Respect each others' needs and learning styles

Blueprint for Improved Results for Students with Disabilities

Self-Advocacy

Students engage in self-advocacy and are involved in determining their own educational goals and plan.

Family Partnership

Parents, and other family members, are engaged as meaningful partners in the special education process and the education of their child.

Specially-Designed Instruction

Teachers design, provide, and assess the effectiveness of specially-designed instruction to provide students with disabilities with access to participate and progress in the general education curriculum.

Research-Based Instruction

Teachers provide research-based instructional teaching and learning strategies and supports for students with disabilities.

Multi-tiered Support

Schools provide multi-tiered systems of behavioral and academic support.

Inclusive Activities

Schools provide high-quality inclusive programs and activities.

Transition Support

Schools provide appropriate instruction for students with disabilities in career development and opportunities to participate in work-based learning.

Slide Marker Icons

Activity

Handout

Poll

Discussion

Reflection

Action Plan

Training Objectives

- Participants will learn how the IEP development process evolves to ensure students are receiving services in the LRE.

  - Participants will learn how each element of the IEP impacts the LRE decision making.

  - Participants will learn how individualized special education supports and services can lead to meaningful access, participation and progress in the general education curriculum.

- Participants will learn that location and placement decisions always consider general education settings first.

Activity 1:
Participant Workbook

How may these statements reflect some perceptions of the IEP development process and the continuum of services related to LRE?

Definition of LRE

"Least restrictive environment means that the placement of students with disabilities in special classes, separate schools or ==other removal from the regular educational environment occurs **_only_** when the nature or severity of the disability is such that even with the== use of ==**_supplementary aids and services_**, education cannot be satisfactorily achieved.=="

Regulations of the Commissioner of Education, Section 200.1(cc).

Definition of LRE Continued

The placement of an individual student with a disability in the LRE shall:

(1) provide the special education needed by the student;

(2) provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities; and

(3) be as close as possible to the student's home.

Regulations of the Commissioner of Education, Section 200.1(cc).

LRE in the IEP

Information to be Included

The IEP must include an explanation of the extent, if any, to which a student will not participate with students without disabilities in the general education classroom. This explanation provides a justification for any amount of time the student may be removed from participation in the general education classroom or from activities in which peers without disabilities participate. **This requirement** does not preclude the use of special classes or separate placements but **strengthens the emphasis on providing services to students with disabilities in the general curriculum and education program and in the activities of their peers without disabilities.**

LRE in the IEP Continued

New York State Requirements

IEP recommendations must be developed in conformity with the LRE requirements as follows:

- placement must be based on the student's IEP and determined at least annually;

- placement must be as close as possible to the student's home, and unless the student's IEP requires some other arrangement, the student must be educated in the school he or she would have attended if not disabled;

- in selecting the LRE, consideration must be given to any potential harmful effect on the student or on the quality of services that he or she needs; and

- a student with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

What, Where, How

LRE

" The term "environment" in least restrictive environment can be interpreted to imply that LRE is a place or location. In fact, LRE does not merely refer to a particular setting. Rather, identifying the LRE involves making program decisions about *what* services and supports a student needs to be successful and *where* and *how* those services and supports can be provided effectively."

IRIS Center Information Brief Least Restrictive Environment (LRE)

New York State (NYS) Percentage of students ages 6-21 served under Individuals with Disabilities Education Act (IDEA), Part B

by Educational Environment

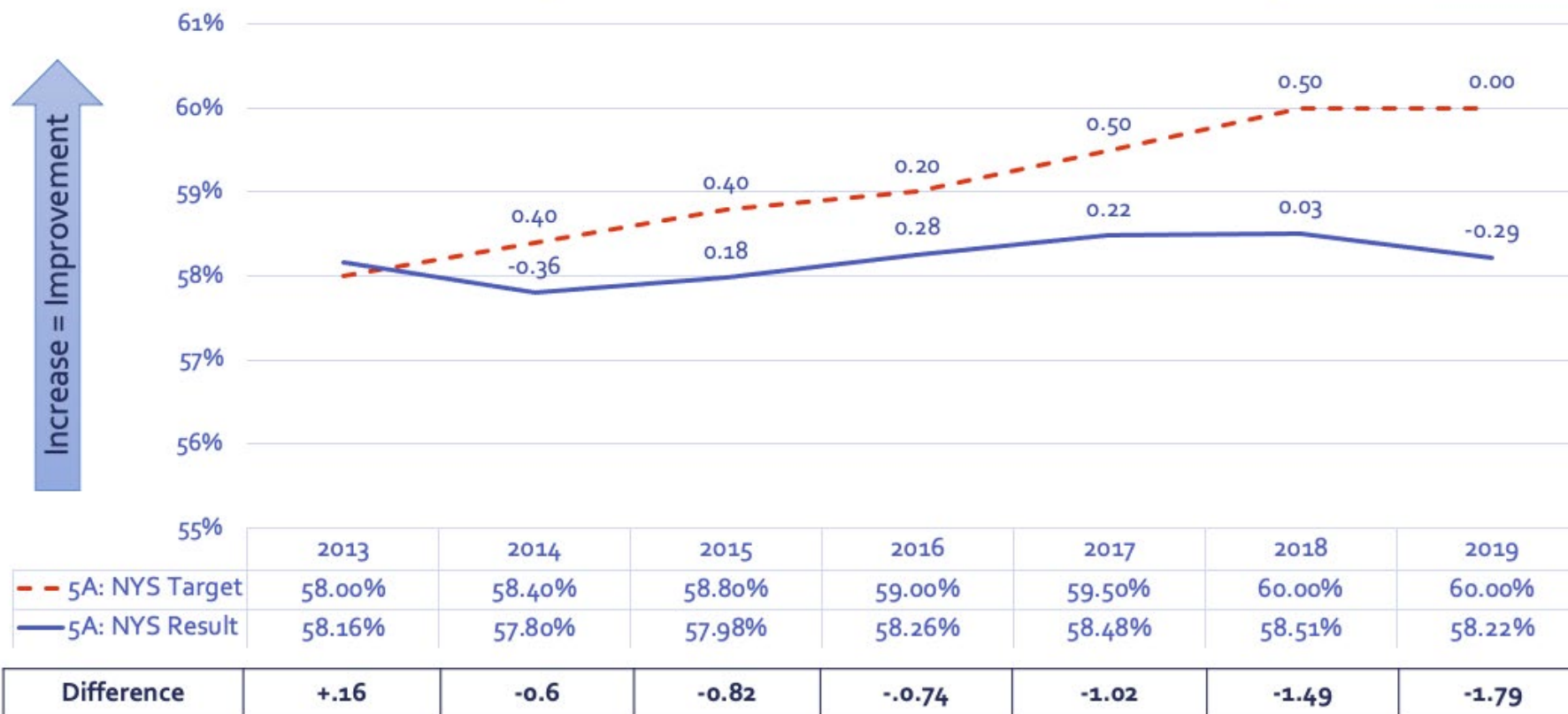| ENVIRONMENTS	STATE TARGET	STATE DATA For FFY 2019 (2019-20 school year)
A. Inside regular classrooms 80% or more of the day	≥60%	58.22%
B. Inside regular classrooms less than 40% of the day	≤18%	19.01%
C. Inside separate schools, residential facilities, or homebound/hospital placements	≤5%	5.11%

Activity 2:

Participant Workbook

State Performance Plan (SPP)

New York State SPP Targets and Actual Reported
Indicator 5A: Inside the Regular Class 80% or More

IDEA STATE PERFORMANCE PLAN STAKEHOLDER ENGAGEMENT

Increase = Improvement

	2013	2014	2015	2016	2017	2018	2019
- - 5A: NYS Target	58.00%	58.40%	58.80%	59.00%	59.50%	60.00%	60.00%
—— 5A: NYS Result	58.16%	57.80%	57.98%	58.26%	58.48%	58.51%	58.22%
Difference	+.16	-0.6	-0.82	-.0.74	-1.02	-1.49	-1.79

12   Indicator 5A: Reported APR Data

Developing an IEP

Guiding Ideas for Determining LRE

Guiding Ideas for LRE determinations as the Committee on Special Education (CSE) develops individual student IEPs.

Student Individualization

What the student is able to do in general education independently or with supports

Student Strengths and Individual Needs

Location of placement closest to student's home

First consideration is placement in general education

Opportunities for the student to be educated with other students without disabilities

Specially Designed Instruction (SDI) in the IEP

SDI must be *uniquely* designed and implemented for each individual student based upon:

SDI
- Strengths
- Disability
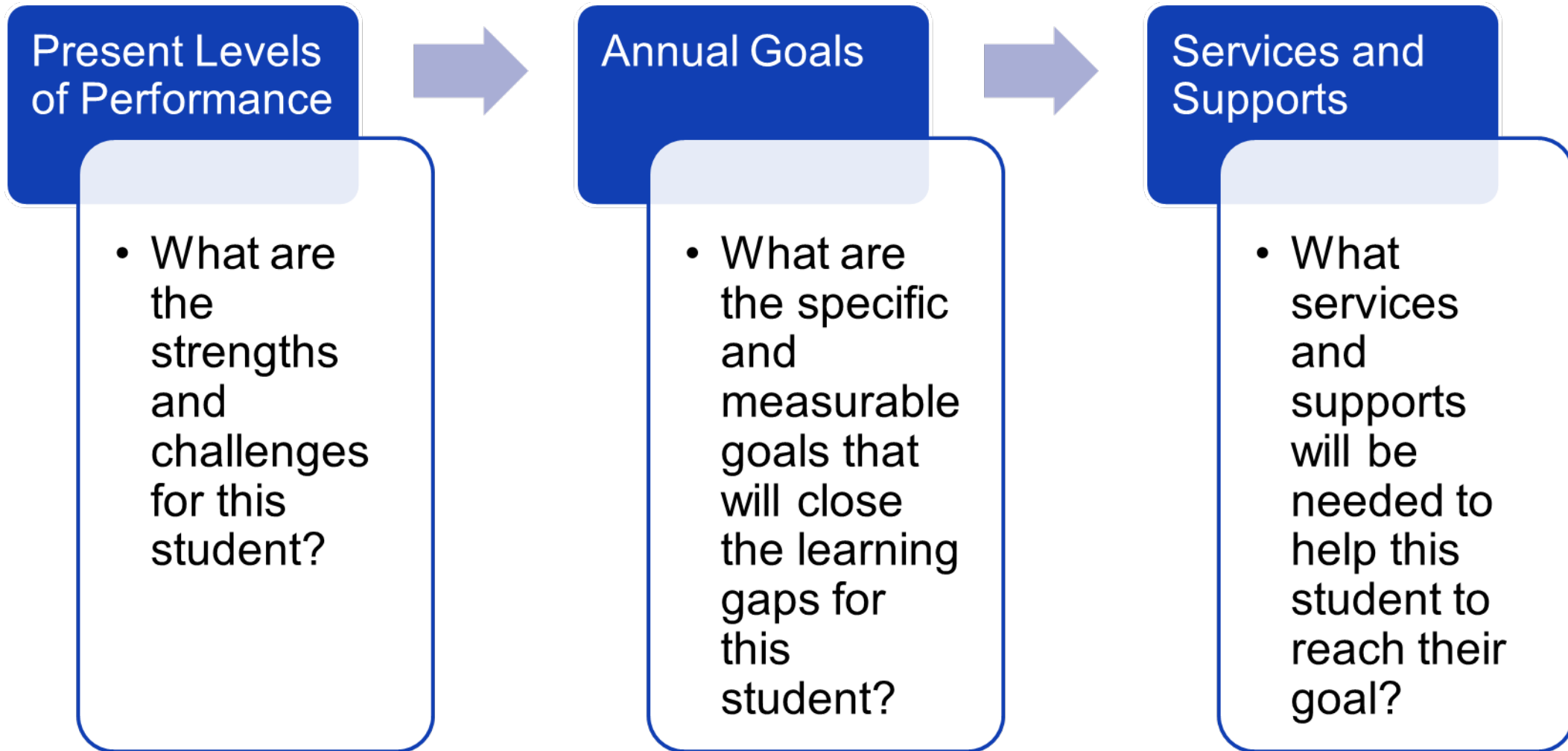- Current Data
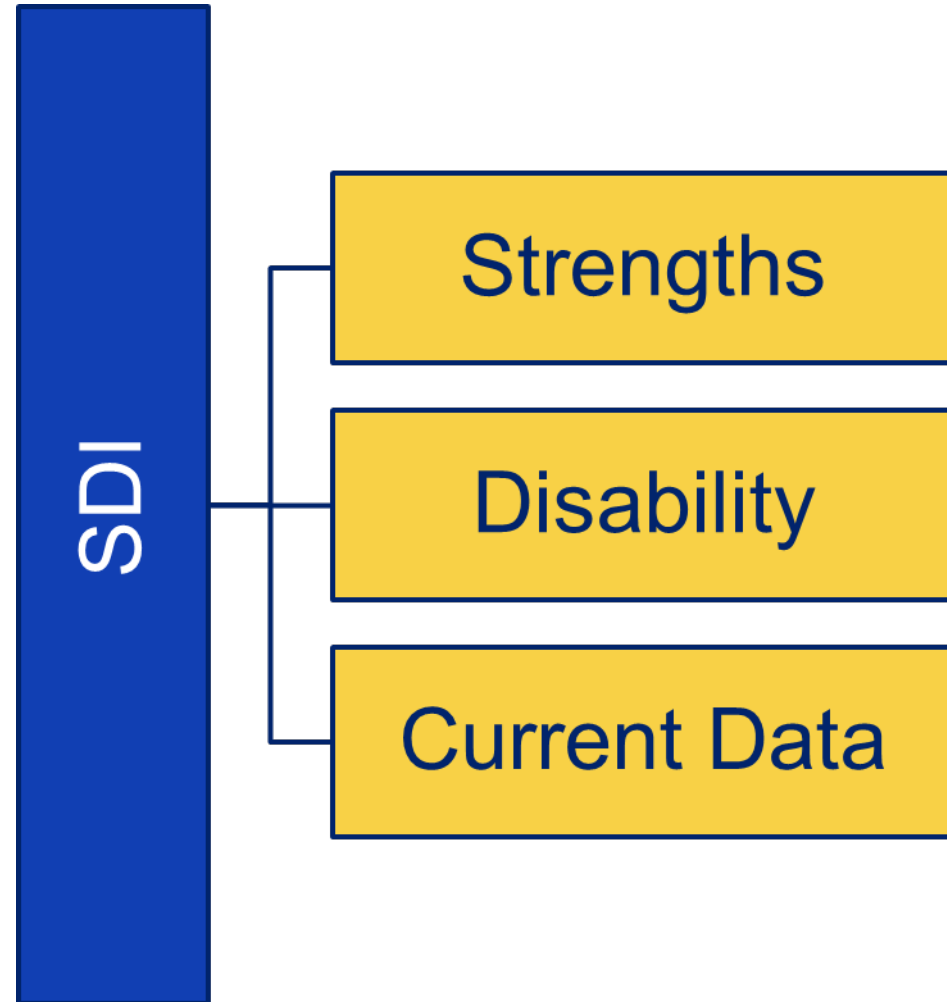
Parent and Student Involvement

The student, as well as the parent should be provided an opportunity to participate in the IEP process in a meaningful way.

School staff are responsible for teaching the student self-advocacy skills and ensuring the student is involved in his or her own educational goal and plan.

CSE Decision-Making Process

Present Levels of Performance

➡️

Annual Goals

➡️

Services and Supports

- What are the strengths and challenges for this student?

- What are the specific and measurable goals that will close the learning gaps for this student?

- What services and supports will be needed to help this student to reach their goal?

Transition and LRE

Focus on Access through Transition Services

A student's need for transition services is considered throughout the IEP development process, including during discussions of the student's present levels of performance, annual goals, services, accommodations, program modifications and placement.

LRE Decision Making Process

Within IEP Development

Evaluate and Identify Student Needs

LRE Decision Making Process

Within IEP Development

Review the student's present levels of performance (results of evaluations, strengths, needs, parent concerns, results of state or district-wide assessments, and any special considerations unique to the student)

1. Evaluate & Identify Individual Student Needs

2. Identify Goals

3. Determine Services & Supports Needed

4. Placement Determination

Present Levels of Performance

Foundation of LRE in the IEP

"**A problem well stated is a problem half solved**"

Charles F. Kettering

The Present Levels of Performance provides the informational basis (baseline data) for generating goals, supports and services that are specifically designed to meet the student's individual needs.

This baseline data informs the LRE determination process.

Activity 3:

Participant Workbook

What quality indicators for present levels of performance might impact LRE decisions at CSE?

Activity

Identify Goals

LRE Decision Making Process
Within IEP Development

The annual goals will guide instruction, serve as the basis to measure progress and report to parents and serve as the guideposts to determine if the supports and services being provided to the student are appropriate and effective.

1. Evaluate & Identify Individual Student Needs

2. Identify Goals

3. Determine Services & Supports Needed

4. Placement Determination

Activity 4:

Participant Workbook

What quality indicators for annual goals, including short-term goals or benchmarks, might impact LRE decisions at CSE?

Determine Services & Supports Needed

LRE Decision Making Process Within IEP Development

Which programs and services will be provided to the student to:

- advance toward his or her annual goals
- be involved and progress in the general education curriculum
- participate in extracurricular and other nonacademic activities
- be educated and participate in activities with other students with disabilities and nondisabled students

1. Evaluate & Identify Individual Student Needs

2. Identify Goals

3. Determine Services & Supports Needed

4. Placement Determination

Activity 5:

Participant Workbook

What quality indicators for recommended special education programs and services, might impact LRE decisions at CSE meetings?

What are supplementary aids and services?

Supplementary aids and services means 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 in accordance with the LRE.

*NYS Regulations Section 200.1 (bbb)*

What are accommodations?

Accommodations means adjustments to the environment, instruction or materials (e.g., instructional materials in alternative format such as large print or Braille, fewer items on each page; extra time to complete tasks) that allow a student with a disability to access the content or complete assigned tasks. Accommodations do not alter what is being taught.

What are program modifications?

Program modifications may be used to describe a change in the curriculum or measurement of learning, for example, when a student with a disability is unable to comprehend all of the content an instructor is teaching (e.g., reduced number of assignments; alternate grading system).

Academic Modifications

What You Need to Know
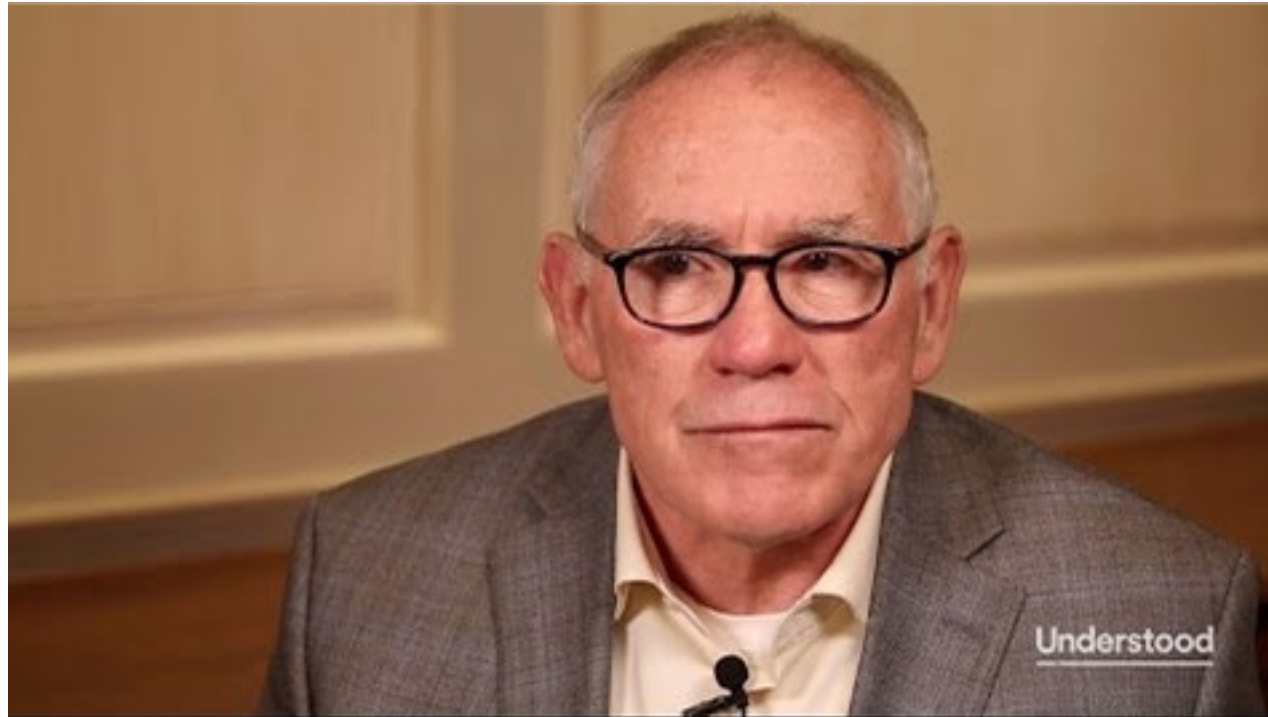
CSE Team Must Consider:

| Supplementary Aids and Services | Accommodations | Modifications |

Other types of direct services and supports to the student based on their unique needs.

- Individual aide for a student with significant health needs
- Peer tutors
- One-on-one aide

Changes to the delivery of classroom instruction or the accompanying materials; they do not change what the student learns.

- Books on tape, large print or highlighted notes
- Special seat
- Adapted cup for drinking
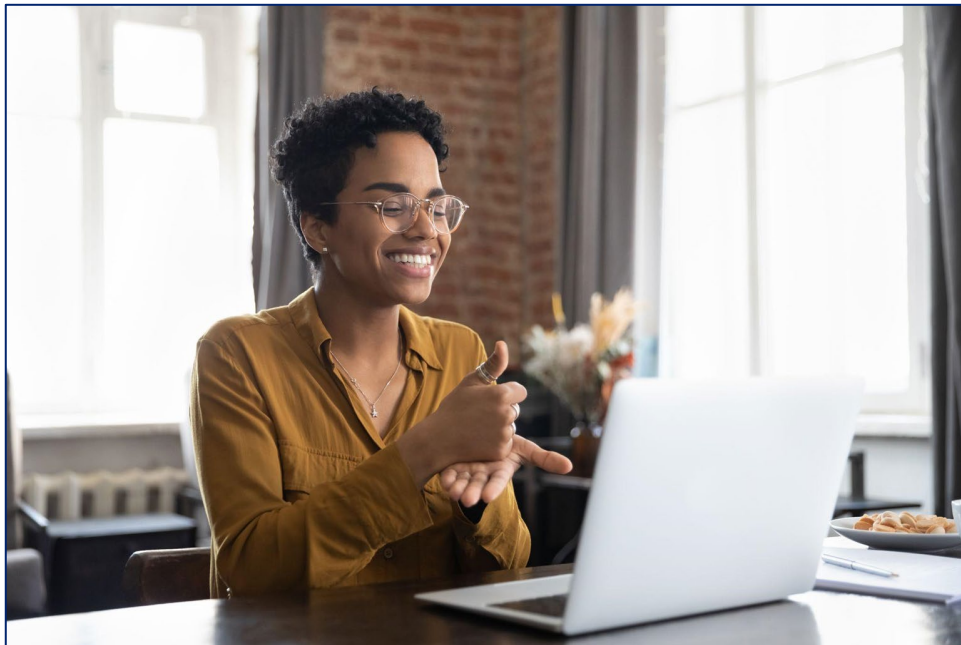- Extended time or frequent breaks

May change what a student will be expected to learn or what a test is expected to measure.

- Complete different problems than peers
- Answer different test questions
- Learn different content
- Student may not be required to complete same materials as peers.

Activity 6: Assistive Technology

Participant Workbook

Assistive technology **device** means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified or customized, that is used to increase, maintain or improve the functional capabilities of a student with a disability.
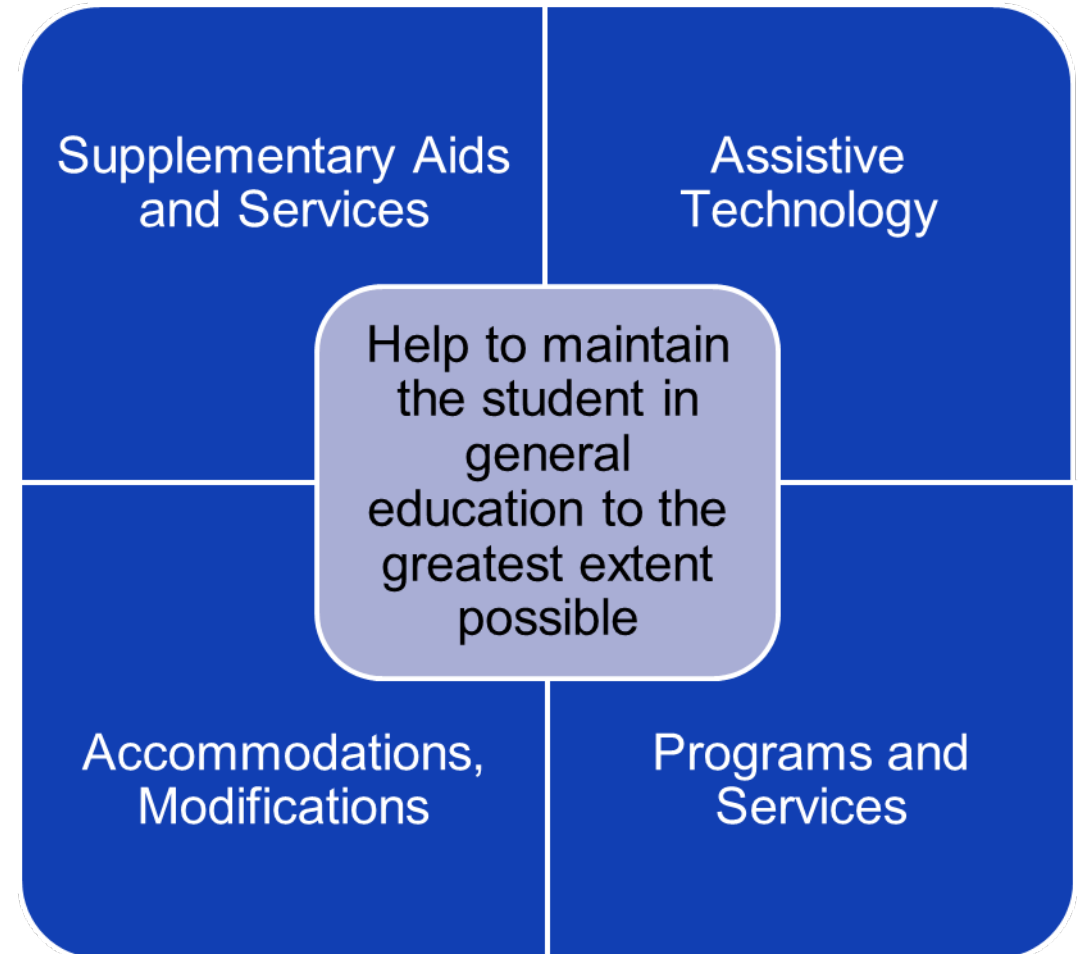
Supports for School Personnel

LRE

- Supports for school personnel are those that would help educators to more effectively work with the student.

- This could include, for example, special training for a student's teacher to meet a unique and specific need of the student.

- The IEP must describe the supports for school personnel that will be provided on behalf of the student in order for the student to:

  - advance toward attaining the annual goals

  - be involved in and progress in the general curriculum

  - participate in extracurricular and other nonacademic activities

LRE and the IEP

Summary

- Curriculum is aligned to New York State (NYS) Learning Standards.

- IEP goals are designed to ensure progress in the general education curriculum.

- Supports for school personnel are described.

- IEP facilitates active participation by the student in extracurricular and non-academic activities with other students, including those without disabilities.

Supplementary Aids and Services	Assistive Technology
Help to maintain the student in general education to the greatest extent possible	
Accommodations, Modifications	Programs and Services

Reflection Activity 7:

Participant Workbook

How does your EO use:

- specific supplementary aids or services

- accommodations

- modifications

- assistive technology

- support for school personnel

to support students in general education classrooms?

IEP: Special Education Programs/Services

SPECIAL EDUCATION PROGRAM/SERVICES:	SERVICE DELIVERY RECOMMENDATIONS	FREQUENCY HOW OFTEN PROVIDED?	DURATION LENGTH OF SESSION	LOCATION WHERE SERVICE WILL BE PROVIDED	PROJECTED BEGINNING/ SERVICE DATE(S)
SPECIAL EDUCATION PROGRAM					
RELATED SERVICES					
SUPPLEMENTARY AIDS AND SERVICES/ PROGRAM MODIFICATIONS/ ACCOMMODATIONS					
ASSISTIVE TECHNOLOGY DEVICES AND/OR SERVICES					
SUPPORTS FOR SCHOOL PERSONNEL ON BEHALF OF THE STUDENT:					

Defined Special Education Programs & Services

- Federal and state regulations define the continuum of services

- CSE must consider all options

- Recommendation of CSE can include a variety of services to address each student need

Diagram centered on CSE with surrounding circles: Consultant Teacher (Direct or Indirect), Integrated Co-Teaching (Optional), Related Services, Special Class, Resource Room, Other: Adapted P.E., etc.

LRE Considerations - Where and When?

Looking at Each Component of the Student's Schedule

Continuum options should be reviewed for every academic and nonacademic subject.

RECOMMENDED SPECIAL EDUCATION PROGRAMS AND SERVICES					
SPECIAL EDUCATION PROGRAM/SERVICES	SERVICE DELIVERY RECOMMENDATIONS*	FREQUENCY HOW OFTEN PROVIDED	DURATION LENGTH OF SESSION	LOCATION WHERE SERVICE WILL BE PROVIDED	PROJECTED BEGINNING / SERVICE DATE(S)
SPECIAL EDUCATION PROGRAM:					
Integrated co-teaching		4 days/week	40 minutes	English class	9/7/10
Consultant teacher services	Direct	2 days/week	40 minutes	Math class	9/7/10
Resource room program		3 days/week	40 minutes	Resource Room	9/7/10

Additional Considerations

The recommendations of the programs and services a student needs **cannot** be based solely on factors such as:

- the category of the student's disability

- the availability of special education programs or related services or personnel

- the current availability of space

- administrative convenience

- how the district/agency has configured its special education service delivery system

What does the LRE mean?

How does it relate to the continuum of services option?

"LRE refers to the extent special education services are provided to a student in a setting with the student's non-disabled peers and as close to the student's home as possible. The continuum of services identifies different service delivery models to provide SDI to a student with a disability. Some of the services such as consultant teacher and integrated co-teaching services are directly designed to support the student in his/her general education class. Others may or may not be provided in settings with non-disabled peers, depending on the needs of the student. This is why the documentation of "location" in the IEP is important. The continuum of placement options is also directly related to LRE placement decisions."

Reflection

What is meant by "location" of services which must be documented in the IEP?

Does it mean the same as placement?

"Location" of services is not the same as "placement". The student's placement is the educational setting in which the student's IEP will be implemented (e.g., public school, neighboring school, BOCES, approved private day school, approved private residential school). "Location" in the context of a student's IEP generally refers to the type of environment that is the appropriate place where a particular service, program modification or accommodation would be provided (e.g., Placement: Public High School. Location of Services: Consultant Teacher (CT) services will be provided in the general education math class; individual speech and language therapy will be provided in a separate therapy room).

Determine Placement

The student's placement is the educational setting in which the student's IEP will be implemented.

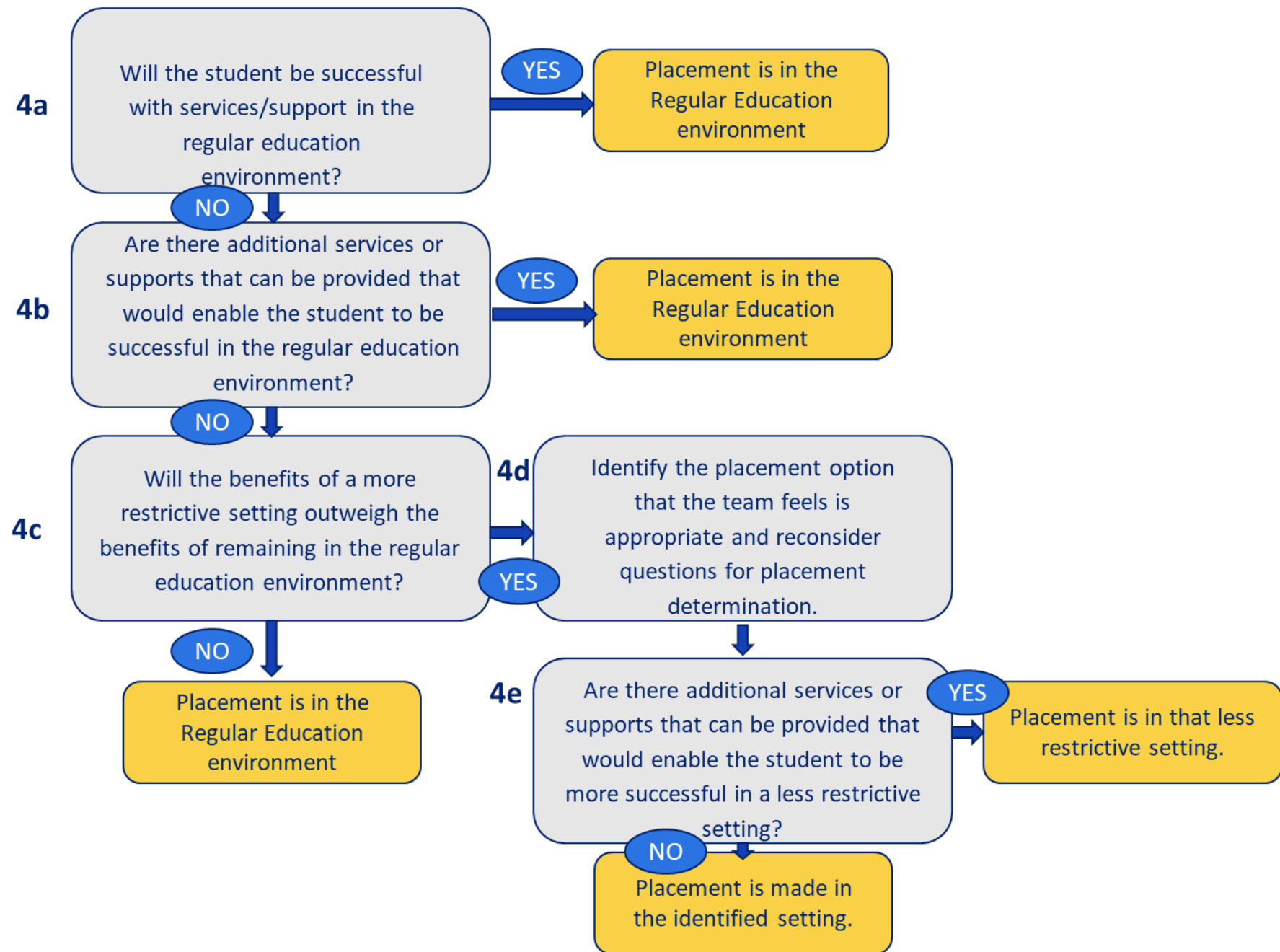1. Evaluate & Identify Individual Student Needs

2. Identify Goals

3. Determine Services & Supports Needed

4. Placement Determination

Location & Placement Questions

Questions to ask when making location and placement determinations.

4a Will the student be successful with services/support in the regular education environment?

— YES → Placement is in the Regular Education environment

— NO ↓

4b Are there additional services or supports that can be provided that would enable the student to be successful in the regular education environment?

— YES → Placement is in the Regular Education environment

— NO ↓

4c Will the benefits of a more restrictive setting outweigh the benefits of remaining in the regular education environment?

— YES → **4d** Identify the placement option that the team feels is appropriate and reconsider questions for placement determination.

— NO → Placement is in the Regular Education environment

4d ↓

4e Are there additional services or supports that can be provided that would enable the student to be more successful in a less restrictive setting?

— YES → Placement is in that less restrictive setting.

— NO → Placement is made in the identified setting.

Reflection Activity 8:

Participant Workbook

- How does your CSE make decisions around location?

- How is your CSE utilizing the continuum of services?

Activity 9:

Participant Workbook

Activity

What quality indicators for placement decisions might impact LRE decisions at CSE meetings?

Key Takeaways from Placement Quality Indicators

- General education in the student's regular school and classroom is the first consideration

- Consider full range of student's needs and abilities

- Can the student achieve IEP goals with use of supplementary aids and services?

- Not based solely on need to modify curriculum

- Must consider all options of continuum

- Proximity to student's home

Activity 10: Workbook

Wrap-up Activity & Reflection

Pause and Summarize

Within the IEP development process, what practices might be contributing to more restrictive environments for students with disabilities in your district or school?

How does this compare with your original hypotheses from previous modules?
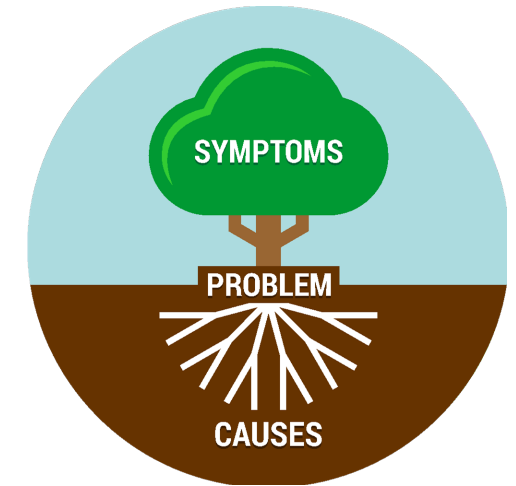
Questions and Answers

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Meeting Evaluation Survey

Link here