New York State Education Department
Office of Special Education

Educational Partnership

Least Restrictive Environment (LRE)

Module 1: Foundational Content

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

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Disclaimer

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Training Objectives

Participants will understand the regulations for Least Restrictive Environment (LRE) decisions and implementation

Participants will learn the data used to measure compliance with federal and state benchmarks for LRE compliance

Participants will be introduced to the four components to consider when creating an effective system for ensuring student placement in LRE

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

Strive to start and end on time

Presume positive intentions

Be prepared with materials

Action plan to implement what you are learning

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.

Activity 1:

Workbook

Which of these statements impacts least restrictive environment?

Activity 2:

Workbook

Special education is a service, not a place.

Why LRE?

Students without Disabilities

Improved academic performance and social behavior

Greater academic achievement and increased time engaged academically due to effective instructional practices (e.g., differentiated instruction, peer tutoring)

Awareness of the needs of others and the development of skills necessary to respond to those needs

Increased patience with students who learn at different rates

Why LRE?
Students with Disabilities

Improved academic performance; there is a strong relationship between the amount of time spent in general education and achievement in math and reading for students with disabilities

Improved self-esteem and social behavior

Development of friendships between students with and without disabilities, resulting in opportunities for companionship and increased self-concept

More time spent in a general education classroom, engaged in academically challenging curricula, correlated to less absences from school, fewer referrals for misbehavior, and more post-secondary education and employment options

Why LRE?
Parents and Community

Increased acceptance of students with disabilities by non-disabled students and their parents

Heightened support (e.g., physical resources, monetary support, and volunteer services) of inclusive efforts through relationships with local agencies

Greater parental involvement in school activities

Why LRE?
Teachers and Schools

Increased teacher insight about and acceptance of students with disabilities

Opportunities to learn innovative instructional practices that are beneficial for all students, could reduce the individual accommodations needed

Increased collaboration among school staff, could lead to a stronger school community

Program & Placement Disparities

Figure 2. Students with disabilities who spend more than 80 percent of their day in general education classrooms.[26]

55 percent of White

33 percent of Black
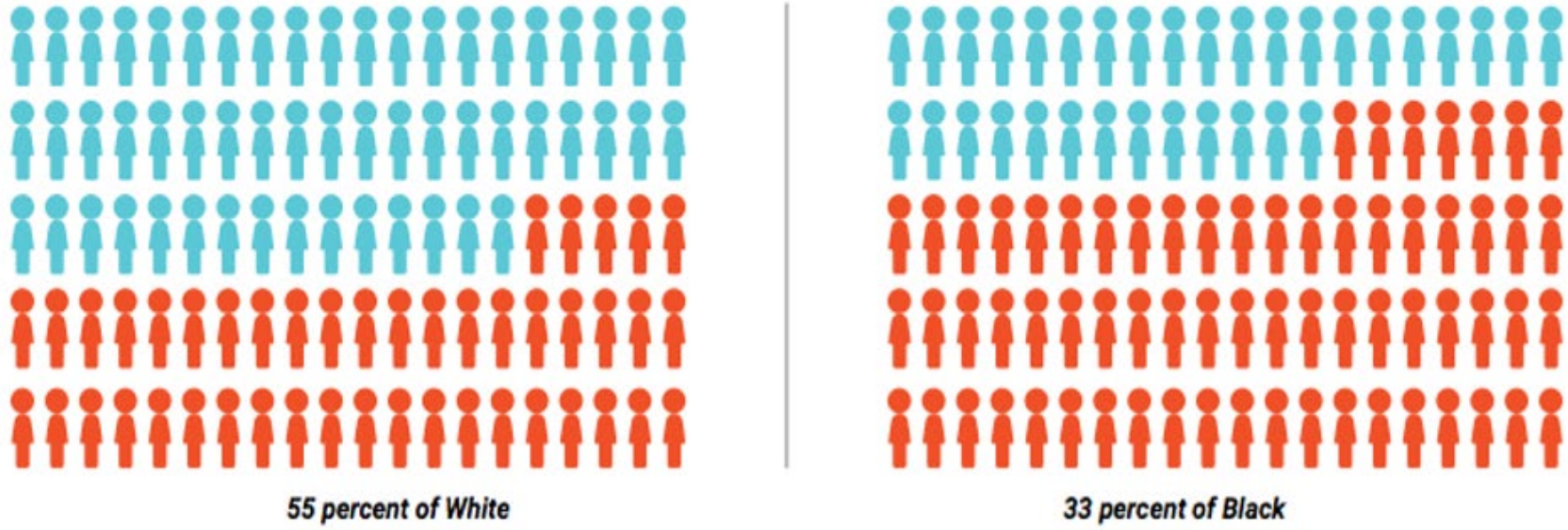
Program and Placement Disparities

2016 Release of IDEA Policy to Promote Equity

In late December 2016, the U.S. Department of Education issued [final rules](#) to prompt states to proactively address racial and ethnic disparities in the identification, placement, and discipline of children with disabilities.

That same month, they released [comprehensive legal guidance](#) describing schools' obligations under federal civil rights and disabilities studies not to discriminate on the basis of race, color, or national origin in the administration of special education.

Laws and Regulations

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."

LRE Placement

The placement of an individual student with a disability in the least restrictive environment must:

- provide the special education needed by the student;

- 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

- be as close as possible to the student's home

Activity 3:

Workbook

Every Committee on Special Education (CSE) meeting includes a decision about LRE

Initial Placement

Annual Review

Amendments

Re-evaluation

Annual Review

Such review shall consider the following factors:

    (vii) the educational progress and achievement of the student with a disability and the student's ability to participate in instructional programs in regular education and in the least restrictive environment.

Recommendations shall:

"Be developed in conformity with the LRE provisions of the Part:

placement shall be based on a student's IEP and determined at least annually;

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

in selecting the least restrictive environment, 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*."

How is LRE Measured?

School-Age

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

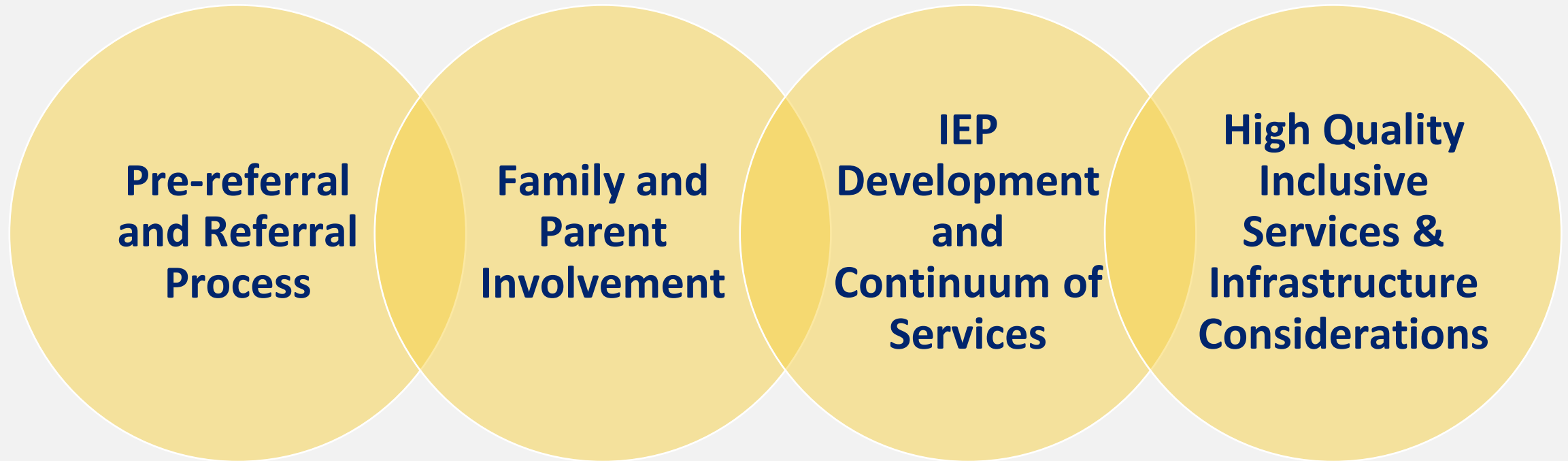| ENVIRONMENTS	STATE TARGET	STATE DATA For FFY 2019 (2019-20 school year)
Inside regular classrooms 80% or more of the day	≥60%	58.22%
Inside regular classrooms less than 40% of the day	≤18%	19.01%
Inside separate schools, residential facilities, or homebound/hospital placements	≤5%	5.11%

Activity 4: Workbook
NYS Percentage of students ages 6-21 served under IDEA, Part B
by Educational Environment

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

Creating a Highly Effective System to Ensure Students are Placed in LRE

Four components to consider

Pre-referral and Referral Process

Family and Parent Involvement

IEP Development and Continuum of Services

High Quality Inclusive Services & Infrastructure Considerations

Pre-referral and Referral

Does the district/building have a clear and effective process for pre-referral interventions and referral of students suspected of having a disability?

Family and Parent Involvement

Does the district/school meaningfully engage family members, value their input and involve them in the planning and problem-solving process?

IEP Development and Continuum of Services

Does the Committee on Preschool Special Education (CPSE)/CSE collaboratively develop IEPs in accordance with the unique strengths and needs of the student in order to ensure participation in the LRE?

Does the district/school utilize a variety of combinations of special education supports and services to serve students with disabilities in general education and promote meaningful access, participation and progress in the general curriculum?

High Quality Inclusive Services & Infrastructure Considerations

Do the school leaders, educators and parents support the provision of high-quality inclusive services?

Do school leaders, educators and parents each fulfill their roles in promoting an infrastructure that supports implementation of LRE placements?

Activity 5: Workbook

What is leading to more restrictive program, service and placement decisions?
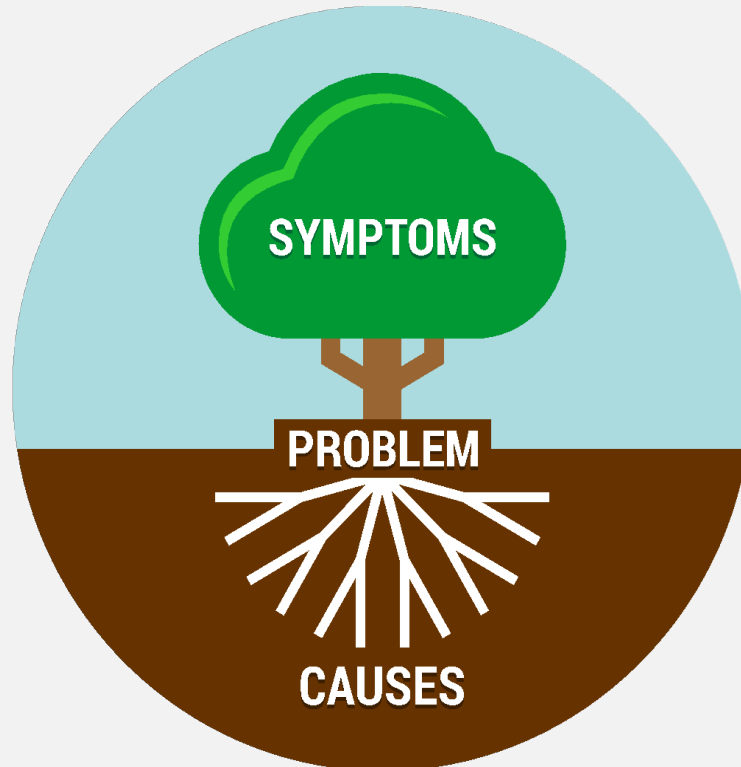
School-Age LRE Placement by **Disability Category**
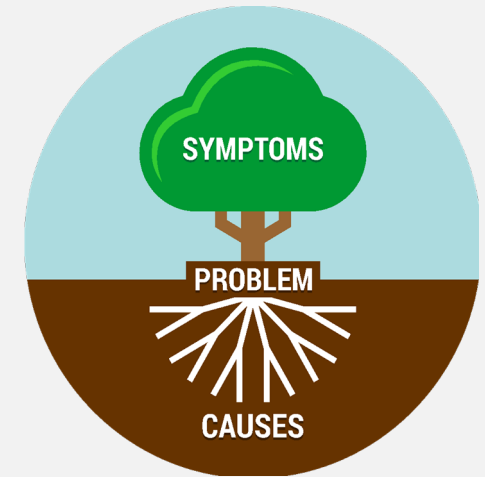
School-Age LRE Placement by **Gender**

School-Age LRE Placement by **Race/Ethnicity**

School-Age LRE **Placement by Building**

Activity 6: **Workbook**

Wrap-up activity/reflection

Pause and Summarize

What do you think is the <u>primary</u> factor contributing to more restrictive environments for students with disabilities in your district or school?

Questions and Answers

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