



# PEPP, INC

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## **LEAST RESTRICTIVE ENVIRONMENT (LRE)**

### **Requirements**

- Each local school system/state-operated program (LSS/SOP) shall have policies and procedures to ensure that to the maximum extent appropriate, students with disabilities in public or private institutions or other care facilities in Georgia shall be educated with students who are not disabled; and that special classes, separate schooling or other removal of students with disabilities from the regular class environment shall occur only when 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. [See 34 CFR 300.550] Given prevailing confusion, imprecise use of such terms and inconsistent use of such terms interchangeably, it is recognized that disagreement over terms including Least Restrictive Environment, LRE, inclusion, main-streaming and resource may have interfered with the appropriate placement of children. Therefore, the term Least Restrictive Environment abbreviated as LRE shall be the official term for placement of students with disabilities pursuant to these Rules and shall be applied as follows:

### **Application Of Least Restrictive Environment**

- To the maximum extent appropriate, students with disabilities shall attend the school they would ordinarily attend in their home area or neighborhood, with their age and grade peers in the general education classroom with such students receiving their special education and related services, aids, and supports in the general classroom. [20 USC Section 1400©(5)(D)].
- Such determination begins with discussions of current levels of performance, long term goals and objectives and the services required to meet those goals and objectives.
- Placement decisions are based upon the presumption that special education services will be provided in the general education classroom and school that the student would

have otherwise attended had he not a disability. Before the IEP Committee may conclude that a student with a disability should be educated outside regular classroom, it must consider whether (the whole range of) supplemental aids and services would permit satisfactory education in the regular classroom.

- Only when clear documentation exists that the student's IEP goals and objectives cannot be achieved satisfactorily, even with one or more of these supplemental aids and services, may the IEP Committee consider placing the student outside the regular classroom. Academic, social language and other relevant factors, as appropriate, should be considered when reaching this decision. Information provided to the parent of the disabled student shall be sufficient for the parent to make an informed decision.

### **Continuum of Alternative Placements**

- Each LSS/SOP shall have policies and procedures to ensure that a continuum of alternative placements is made available to meet the needs of students with disabilities for special education and related services. The continuum shall include, and instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions and make provisions for supplementary services, (such as resource room or itinerant instruction to be provided in conjunction with regular class placement). [See 34 CFR 300.551]
- For eligible preschool children (ages three and four), the continuum shall include: school-based, community-based, home-based and state school services or a combination of these service delivery models.

### **Determining Educational Placement**

- In determining the educational placement of a student with a disability, including preschool students, each LSS/SOP shall ensure that:
  1. The placement decision is made by a group of persons, including the parents, and other persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. [See 34 CFR 300.552(a)(1)]
  2. The educational placement of each student with a disability shall be determined at least annually, be based on the student's individualized education program (IEP), and be as close as possible to the student's home. [See 34 CFR 300.552(b)(1,2,3)]
  3. Unless the IEP of a student with a disability requires some other arrangement, the students shall be educated (a) in the school that the student would normally attend if non-disabled and (b) in settings with age-appropriate peers. For example, elementary school-age students with

disabilities would be served on an elementary school campus, middle school-age students with disabilities on a middle school campus and high school-age students with disabilities on a high school campus. [See 34 CFR 300.552(c)]

4. In selecting the LRE, consideration shall be given to any potential harmful effect on the student or on the quality of services that the student needs. [See 34 CFR 300.552(d)]
5. A student with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum. [See 34 CFR 300.552 (e)]
6. Each LSS/SOP shall ensure that each student with a disability participates with students without disabilities in nonacademic and extracurricular services and activities to the maximum extent appropriate to meet the needs of that student. These services and activities shall include meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the LSS/SOP, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the LSS/SOP and assistance in making outside employment available. [See 34 CFR 300.553 and 300.306]
7. Students with disabilities shall have available to them a variety of educational programs and services which are available to students without disabilities served by the LSS/SOP, including, but not limited to art, music, industrial arts, consumer and homemaking education and vocational education. Each of these programs shall be designed, if necessary, to enable a student with a disability to benefit from those programs. [See 34 CFR 300.305]
8. To the extent necessary to implement the IEP for each student with a disability, the applicable LSS/SOP shall provide or arrange for the provision of the full continuum of alternative placements listed above. However, such alternative settings may be arranged cooperatively with other agencies. [See 34 CFR 300.551]

### **Students in Public or Private Institutions**

- The LSS/SOP shall assure that no student in a public or private institution, who is capable of education in public school, and for whom it is appropriate, is denied access to an education in that setting.

- The LSS/SOP responsible for the education of a student with a disability who is enrolled in a separate facility shall ensure that the student receives appropriate physical education services. [See 34 CFR 300.550 and 300.554]
- Technical Assistance and Training Activities
- Each LSS/SOP shall carry out activities to ensure that teachers and administrators are fully informed about their responsibilities for implementing the requirements of LRE and are provided with technical assistance and training necessary to assist them in this effort. [See 34 CFR 300.555(a)(b)]
- Compliance Review Activities
- Each LSS/SOP shall provide evidence that educational placements are consistent with LRE requirements as part of the compliance review process. [See 34 CFR 300.556(a)(b)(1)(2)]

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