

Least Restrictive Environment and the Continuum of Alternative Placements:

What You Need to Know

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Dr. Lisa White

Dr. Margaret Ellmer

Teresa Laney, M.S., CCC-SLP

Office of Special Education

VISION

To create a world-class educational system that gives students the knowledge and skills to be successful in college and the workforce, and to flourish as parents and citizens

MISSION

To provide leadership through the development of policy and accountability systems so that all students are prepared to compete in the global community

1. All Students Proficient and Showing Growth in All Assessed Areas
2. Every Student Graduates from High School and is Ready for College and Career
3. Every Child Has Access to a High-Quality Early Childhood Program
4. Every School Has Effective Teachers and Leaders
5. Every Community Effectively Uses a World-Class Data System to Improve Student Outcomes
6. Every School and District is Rated “C” or Higher

Participant Outcomes

- Label the continuum of placement options from least restrictive to most restrictive
- Identify considerations in the decision-making process regarding a student's least restrictive environment (LRE)
- Differentiate between placement reporting categories for students age 3-5 and 6-21

Least Restrictive Environment (LRE)

Each public agency must ensure that —

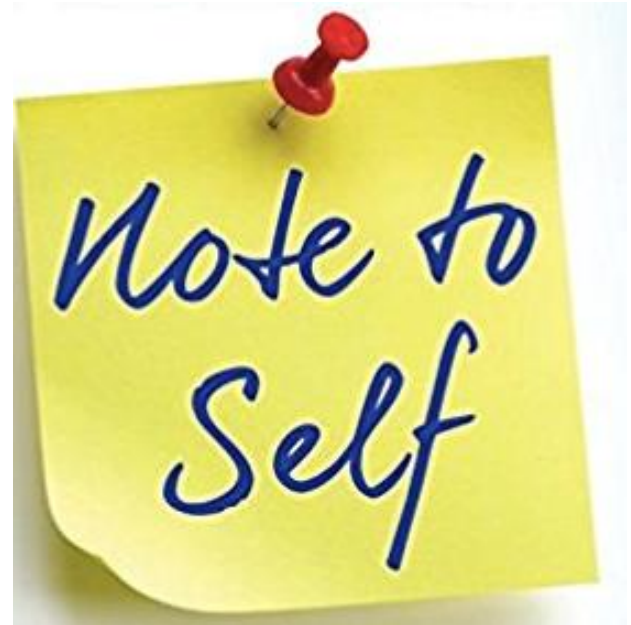
- (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- (ii) Special classes, separate schooling, or other removal of children with disabilities from the general educational environment occurs only if the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily.

(State Board Policy (SBP) 74.19 § 300.114)

Required Policies and Procedures

Each public agency in Mississippi must have in effect policies and procedures to ensure the LRE requirements are being met.

(SBP 74.19 § 300.114(a)(1))



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. (34 C.F.R. § 300.115)



The *continuum* refers to the entire spectrum of placements where a student's special education program can be implemented.

Continuum of Alternative Placements Requirements

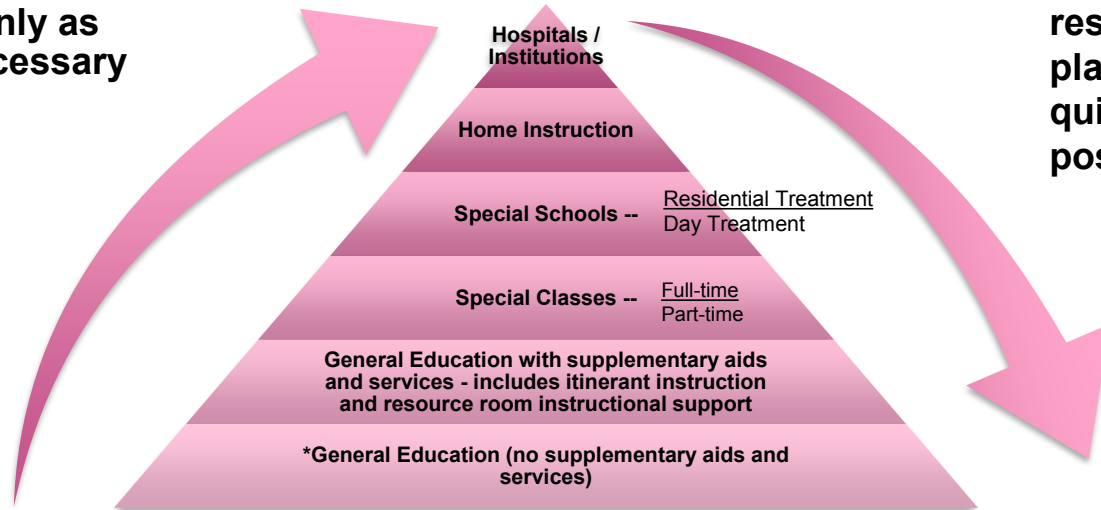
The continuum of alternative placements available to meet the needs of children with disabilities for special education and related services must —

- 1) Include the alternative placements listed in the definition of special education under § 300.39 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions);
- (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with general education class placement; and
- (3) Provide access to general State-wide and district-wide assessment programs, with appropriate accommodations, where necessary.

(SBP 74.19 § 300.115(b)(1)(2)(3))

What Does The Continuum Look Like?

Move to more restrictive placements only as necessary



Return to less restrictive placements as quickly as possible

Placement Decisions

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that—

(a) The placement decision—

(1) Is made by a group of people, including the parents, and other people knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

(2) Is made in conformity with the LRE provisions of these regulations.

(SBP 74.19 § 300.116(a)(1)(2))

Placement Decisions (cont.)

(b) The child's placement—

- (1) Is determined at least annually;
- (2) Is based on the child's IEP; and
- (3) Is as close as possible to the child's home;

(c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

(SBP 74.19 § 300.116(b)(c))

Placement Decisions (cont.)

(d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

(e) A child with a disability is not removed from education in age-appropriate general education classrooms solely because of needed modifications in the general education curriculum. If the IEP committee determines that full-time education in the general education classroom cannot be achieved satisfactorily, the student with disabilities must be included in the general education classroom to the maximum extent appropriate.

(SBP 74.19 § 300.116(d)(e))

Non-academic Settings

In providing or arranging for the provision of non-academic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in § 300.107, each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP committee to be appropriate and necessary for the child to participate in non-academic settings.

Supplementary Aids and Services

Supplementary aids and services means aids, services, and other supports that are provided in general education classes, other education-related settings, and in extracurricular and non-academic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with §§300.114 through 300.116.

(SBP 74.19 § 300.42)

Considerations When Making LRE Decisions

The LRE consideration on the continuum **always** begins in the **general education classroom**.

- Given the age and assigned grade level of the child, and considering **ALL** of the general education opportunities this child would have if he/she were **NOT** a child with a disability...



Ask yourself...

How can this child participate and progress in general education classes and non-academic settings with the use of supplementary aids and services?

Other LRE Considerations

Placement decisions should
NOT be based upon:

- Administrative convenience
- Availability of space
- Availability of related services
- Category of disability
- Allocation of funds

Placement decisions
MUST be based upon:

- A student's unique needs
- The student's IEP

LRE/Placement Process



Placement decisions initially occur after a student is comprehensively assessed, determined eligible, and the student's goals/supports are identified in the IEP. The placement decision is determined at least annually and requires consideration of the continuum of alternative placements.

Documentation in the IEP:

Placement Considerations and LRE Determinations

LRE/Placement IEP Page (cont.)

Non-Participation with Non-Disabled Peers

Describe the extent to which the student does not participate with his/her non-disabled peers.

Document the basis for decision:

Example:

Joe will participate in reading and math instruction in a part-time special class, outside of the general education classroom, daily for 150 minutes. Joe requires individualized instruction of below grade-level content within the general education setting, which would be mutually distracting to both Joe and his general education peers. Because Joe would not be participating in general education instruction in the general education setting and because of the distractions, the IEP committee determined that Joe would receive reading and math instruction in the part-time special class daily, and all other time would be spent in the general education environment with itinerant supports and specified accommodations/modifications.

LRE/Placement IEP Page (cont.)

Special Transportation
Is special transportation needed in the selected LRE? <input type="checkbox"/> Yes <input type="checkbox"/> No
Document the basis for the decision:

Example:

No. Joe's needs can be met on the same bus as his non-disabled peers, so there is no need for special transportation.

Special Transportation

- The child's placement must be as close as possible to the child's home and, unless the child requires other arrangements, in the school that s/he would attend if nondisabled.
- If the district does not provide transportation for the child, they are responsible for reimbursing parents for transportation costs.
- Example: A child may require special transportation and/or personnel to ensure that s/he remains seated while on the bus.

LRE Reporting Categories for Ages 6-21

School Age LRE Classification *(Check one below for Students ages 6-21)*

- SA/**Inside general education class 80% or more of the day
- SB/**Inside general education class 40 to 79% of the day
- SC/**Inside general education class less than 40% of the day
- SD/**Separate School
- SF/**Residential Facility
- SH/**Home-Hospital
- SI/**Correctional Facilities
- SJ/**Parentally Placed in Private Schools

LRE/PLACEMENT

The Least Restrictive Environment (LRE) (a.k.a. Placement) is calculated based on how much time a student spends in the regular education classroom. The LRE for students who have a placement other than SA, SB, or SC on their IEP will not have their LRE calculated by MSIS. Students for whom you have indicated as SA, SB, or SC will have their LRE calculated based on the following formula:

$$\frac{\text{Total Regular Education Minutes} + \text{Recess (Break)} + \text{Lunch}}{\text{Instructional Time} + \text{Recess (Break)} + \text{Lunch}}$$

Total Regular Education Minutes = Courses in a student's schedule that do not start with a 13 (non-special education courses) and do not contain more than 50% special education students. The minutes are taken from the teacher's schedule.

Instructional Time & Recess/Break & Lunch = These minutes come from the School Demographics screen and are specific to each school and grade level.

For A/B Schedules, MSIS will double the denominator and lunch and recess in the numerator to allow MSIS to look at the total 2-day schedule.

Notes About Grade Placement

Grade placement is **NOT** an IEP committee decision; State and district policy outline and guide promotion and retention.

If a student has an LRE/placement code of SC, s/he should be in grade 56 or 58.

LRE Reporting Categories for Ages 3-5

Percentage of Time Student Receives Special Education Outside of the General Education Classroom	
Preschool LRE Classification <i>(Check one below for Students ages 3-5)</i>	
<input type="checkbox"/> PC/Home	<input type="checkbox"/> PI/Regular program ten (10) or more hours per week and served in the regular program
<input type="checkbox"/> PE/Residential Facility	<input type="checkbox"/> PJ/Regular program ten (10) or more hours per week and served in another location
<input type="checkbox"/> PF/Separate School	<input type="checkbox"/> PK/Regular program less than ten (10) hours per week and served in the regular program
<input type="checkbox"/> PG/Separate Class	<input type="checkbox"/> PL/Regular program less than ten (10) hours per week and served in another location
<input type="checkbox"/> PH/Service Provider Location	

The following placement options are considered regular education settings for data collection purposes:

- Head Start
- Child care centers
- Public preschool programs provided by the school district
- Early Learning Collaborative programs
- Private kindergartens or preschools

LRE Reporting Categories for Ages 3-5

More informal settings such as weekly school-based or neighborhood playgroups or home settings are not considered regular early childhood programs because they are generally not required to comply with the State's early learning standards or curricula.

Child Attends Regular Ed. Program \geq 10 Hours

PI – Services provided in the regular education program

- Example: The child attends a daycare center class and the service is provided in the room with nondisabled peers.

PJ – Services are NOT provided in the regular education program

- Example: The child attends a daycare center class and the service is provided on the premises but not inside the general education setting.

Child Attends Regular Ed. Program \leq 10 Hours

PK – Services are provided in regular education program

PL – Services are NOT provided in regular education program

- LRE criteria and examples are the same as a child who attends a regular education program \geq 10 hours per week (see previous slide).

Child Attends Special Education Program

PC – Child does not attend any program and services are provided in the home

PH – Child does not attend any program and services are NOT provided in the home

- Example: The parent brings the child to the school to receive services.

Child Attends Special Education Program

PG – Served in a separate class

- Example: The child attends a self-contained class for students with disabilities.

PF – Served in a separate school

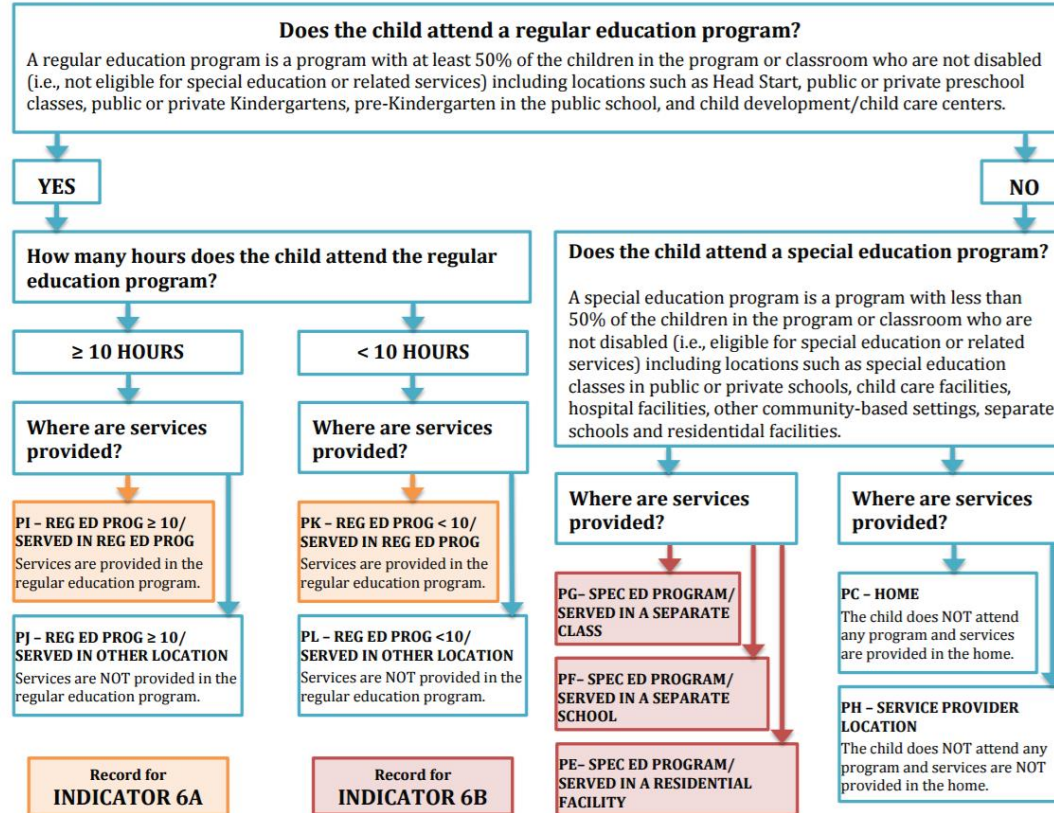
- Example: The child attends a special school to address his/her specific needs (e.g. Magnolia Speech School).

PE – Served in a residential facility

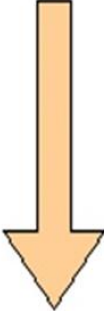
- Example: The child is placed in a facility such as Mill Creek or CARES to address severe behavioral needs.

Preschool Decision Tree

INDICATOR 6 DECISION TREE



Preschool Continuum of Placement

PI – REG ED PROG \geq 10 hours/ SERVED IN REG ED PROG OR PK – REG ED PROG $<$ 10 hours/ SERVED IN REG ED PROG	Services are provided in the regular education program.	Least Restrictive  Most Restrictive
PJ – REG ED PROG \geq 10 hours/ SERVED IN OTHER LOCATION OR PL – REG ED PROG $<$ 10 hours/ SERVED IN OTHER LOCATION	Services are NOT provided in the regular education program.	
PC – HOME	The child does NOT attend any program and services are provided in the home.	
PH – SERVICE PROVIDER LOCATION	The child does NOT attend any program and services are NOT provided in the home.	
PG– SPEC ED PROGRAM	Served in a separate class	
PF– SPEC ED PROGRAM	Served in a separate school	
PE– SPEC ED PROGRAM	Served in a residential facility	

Preschool Placement Guidelines

- All preschool children (ages 3-5) are entitled to FAPE.
- Child care centers do not meet the definition of “elementary schools” used in defining parental placement in elementary schools.
- Mississippi does not provide general education pre-K opportunities for all of its students.
- When districts do provide the opportunity for pre-K, typically it is on a limited basis.

Preschool IEP Guidelines

- Districts may provide IEPs to all of their eligible pre-K students regardless of placement.
- Children who are preschool age are only able to be given a Services Plan instead of an IEP if...
 - ✓ The district offers the child a public or private school general education slot at no cost that is comparable to that of the current or chosen preschool program **AND**
 - ✓ The parent refuses this slot.

Resources

- 34 CFR Part 300 (IDEA Federal Regulations, 2006):

<http://idea.ed.gov/download/finalregulations.pdf>

- Mississippi State Board Policy Chapter 74, Rule 74.19:

http://www.mde.k12.ms.us/docs/special-education-library/part-34-rule-74-19_20160614161027_365113.pdf?sfvrsn=2

- Preschool Decision Tree:

<http://www.mde.k12.ms.us/docs/sped-ecse/Web-Indicator-6-Decision-Tree.pdf?sfvrsn=2>

Resources (cont.)

- Mississippi Department of Education Procedures for Implementation of State Board Policy Chapter 74, Rule 74.19:

<http://www.mdek12.org/OSE/PP>

- MSIS Special Education Manual:

<http://www.mdek12.org/docs/sped-msis-page/msis-special-education-manual-march-2014.pdf?sfvrsn=2>



Lisa White, Ed.D.

Educator in Residence

Lisawhite@mdek12.org

Margaret Ellmer, Ph.D.

UDL Coordinator

margaret.ellmer@mdek12.org

Teresa Laney, M.S., CCC-SLP

Instructional Support Specialist

tlaney@mdek12.org