

# Least Restrictive Environment



## What is the LRE?

The Least Restrictive Environment (LRE) is one of the six main principles of the Individuals with Disabilities Education Act (IDEA). LRE is a term that simply means being in a general education classroom where students with and without disabilities are learning together.

*The purpose of LRE is to ensure equal opportunity for learning.*

**History:** Congress passed the federal law IDEA in 1975 seeking “to end the long history of segregation and exclusion of children with disabilities” from school and made a promise that every eligible child, regardless of the nature or perceived severity of the child’s disability, could go to school and learn alongside their peers without disabilities.

## The LRE Requirement

To make good on that promise, Congress specifically defined LRE in the law. The IDEA states, “that to the maximum extent appropriate, children with disabilities... are educated with children who are nondisabled,” “as close as possible to the child’s home,” “in the school he or she would attend if not disabled.” Congress was wise enough to recognize that the general education classroom would not be the best place for all students with disabilities; so a requirement is included in the IDEA that states when a child is taken out of general education classes and placed in separate classes or schools, that should occur “only if 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.” [20 U.S.C. 1412(a)(5)(A)]

## Decision-Making Process for Least Restrictive Environment

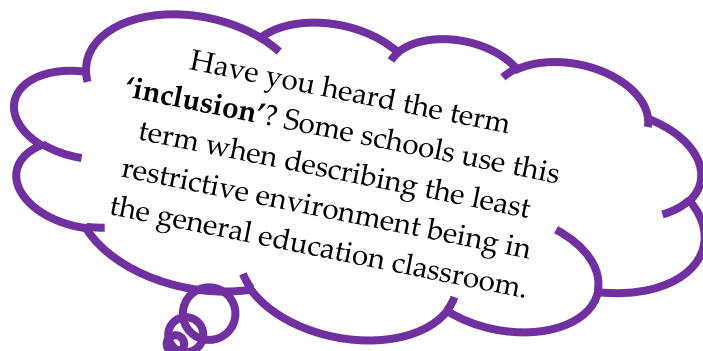
The IDEA requires that the placement team (the child’s IEP team) considers the following based on the individual child’s unique circumstances, present levels of performance, goals, services, and supports.

The following is a general outline of the process for the individual child’s IEP.



One size does not fit all, so it is important to determine the most appropriate environment where the child will receive a quality education, whether that is in the general classroom or in a separate classroom.

The process is in place to ensure that the IEP team is taking the necessary actions to ensure equal opportunity for learning.



Here are some of the questions to consider about the LRE and the placement process by the IEP team.

Question	Expert Answer	Parents Should Keep in Mind...
Who is responsible for the placement decision?	The child's Individualized Education Program (IEP) team, which includes the parent(s).	The placement decision is about determining <b>WHERE</b> your child will learn and what their education will look like.
Is LRE the only option for where your child will learn?	No, it is not, but that is where the IEP team should start <b>FIRST</b> , in the general education classes.	The starting point for all placement decisions begins with the general education classes in the school the student would attend if they did not have a disability.
When do we start talking about "where" (placement)?	This should be done only <b>AFTER</b> the IEP team has fully reviewed the child's current assessments, present levels or performance and determined individualized goals, accommodations, modifications, and services.	Remember that the placement decision is <b>NOT</b> based on: <ul style="list-style-type: none"> <li>i. Eligibility category or diagnosis (such as Autism or Down syndrome) or perceived level of significance of disability(ies)</li> <li>ii. Availability of services or budget</li> <li>iii. Configuration of service delivery system</li> <li>iv. Availability of space</li> <li>v. Administrative convenience</li> </ul>
How will the IEP team determine the placement?	They will be evaluating the child's ability to receive an educational benefit from general education curriculum with provision of individualized supplementary aids and services, including specialized instruction.	This is where you will follow up on what steps the school district has taken to accommodate the child in general education classroom.
Does the LRE also include extracurricular and nonacademic settings as well?	Yes, each child with a disability must have the supplementary aids and services necessary for the child to participate in extracurricular and nonacademic settings as well [34 CFR 300.117]	If the student will not participate alongside peers without disabilities, then the IEP team must explain on the IEP paperwork, to the extent to which such removals will occur and why they are necessary.
What reasons would the IEP team consider for removing a student for more restrictive placement (out of general education classroom)?	The IEP team may consider this only if the nature or severity of a child's disability is such that, even with the provision of supplementary aids and services in the general education setting, an education in the general class will not be appropriate or successful.	The IEP team cannot place the student outside of the general education environment based solely on the student's need for modifications of the general curriculum.

## Resources

- Education for all Handicapped Children Act of 1975, Pub. L. No. 94-142, 89 Stat. 773 (1975)
- Individuals with Disabilities Education Improvement Act of 2004, Pub. L. No 108-446, 118 Stat. 2647 (2004). [E:\PUBLAW\PUBL446.108 \(govinfo.gov\)](E:\PUBLAW\PUBL446.108)
- Maryland Statewide Individualized Education Program (IEP) Process Guide August 1, 2019 [MarylandIEPPProcessGuide.pdf \(marylandpublicschools.org\)](MarylandIEPPProcessGuide.pdf)
- National Council on Disability: (IDEA Series) The Segregation of Students with Disabilities. (Washington D.C, National Council on Disability, 2000) [https://ncd.gov/sites/default/files/NCD\\_Segregation-SWD\\_508.pdf](https://ncd.gov/sites/default/files/NCD_Segregation-SWD_508.pdf)
- Return to School Roadmap: Development and Implementation of Individualized Education Programs in the Least Restrictive Environment Under the Individuals with Disabilities Education Act. September 30, 2021 [Return to School Roadmap: Development and Implementation of Individualized Education Programs in the Least Restrictive Environment under the Individuals with Disabilities Education Act \(PDF\)](Return to School Roadmap: Development and Implementation of Individualized Education Programs in the Least Restrictive Environment under the Individuals with Disabilities Education Act (PDF))
- Quirk, Carol. Legal Aspects of Inclusion – SlideShare, Maryland Center for Inclusive Education (MCIE) <https://www.slideshare.net/uscgyekat/carol-quirk-legal-aspects-of-inclusion>