

LEAST RESTRICTIVE ENVIRONMENT

Authorities: 34 [C.F.R.CFR](#) Part 300; 19 [F.A.C.TAC](#) Chapters 75, 89

[Additional Resources](#)

DOCUMENT/ PRACTICE	FEDERAL AND STATE REQUIREMENTS	CITATIONS
	LEAST RESTRICTIVE ENVIRONMENT (LRE) REQUIREMENT	
P	Each local educational education agency (LEA) must ensure that:	300.114(a)(2)
P	<ul style="list-style-type: none"> 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 	300.114(a)(2)(i)
P	<ul style="list-style-type: none"> Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of the child is such that education in regular classes with the use of <u>SUPPLEMENTARY AIDS AND SERVICES</u> cannot be achieved satisfactorily. 	300.114(a)(2)(ii)
P	In providing or arranging for the provision of nonacademic and extracurricular services and activities, the LEA 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 the child.	300.117
	CONTINUUM OF ALTERNATIVE PLACEMENTS	
P	Each LEA must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.	300.115(a)
P	The continuum must:	300.115(b)

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P	<ul style="list-style-type: none"> Include instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions; and 	300.115(b)(1)
P	<ul style="list-style-type: none"> Make provision for supplementary services such as resource room or itinerant instruction, to be provided in conjunction with regular placement. 	300.115(b)(2)
PLACEMENT DECISIONS		
P	In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that:	300.116
P	<ul style="list-style-type: none"> The placement decision is made: 	300.116(a)
P	<ul style="list-style-type: none"> By the ADMISSION, REVIEW, AND DISMISSAL COMMITTEE, including the parents; and 	300.116(a)(1) 89.1050(a)(6)
P	<ul style="list-style-type: none"> In conformity with the LRE provisions in this framework; and 	300.116(a)(2)
P	<ul style="list-style-type: none"> The child's placement is: 	300.116(b)
P	<ul style="list-style-type: none"> Determined at least annually; 	300.116(b)(1)
P	<ul style="list-style-type: none"> Based on the child's individualized education program (IEP); and 	300.116(b)(2)
P	<ul style="list-style-type: none"> As close as possible to the child's home; and 	300.116(b)(3)
P	<ul style="list-style-type: none"> Unless the IEP requires some other arrangement, the child is educated at the school that the child would attend if nondisabled. 	300.116(c)

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D	The IEP must include an explanation of the extent, if any, to which the child will not participate with nondisabled children:	300.320(a)(5)
D	<ul style="list-style-type: none"> • In the regular class; and 	300.320(a)(5)
D	<ul style="list-style-type: none"> • In extracurricular and other nonacademic activities. 	300.320(a)(4)(ii)
D	The admission, review, and dismissal (ARD) committee must determine the appropriate instructional setting for the child and specify the instructional setting in the IEP.	89.1075(e)
P	Instructional arrangements/settings include the following:	89.631005
P	<ul style="list-style-type: none"> • Mainstream; 	89.631005(c)(1)
P	<ul style="list-style-type: none"> • Homebound; 	89.631005(c)(2)
P	<ul style="list-style-type: none"> • Hospital class; 	89.631005(c)(3)
P	<ul style="list-style-type: none"> • Speech therapy; 	89.631005(c)(4)
P	<ul style="list-style-type: none"> • Resource room or services; 	89.631005(c)(5)
P	<ul style="list-style-type: none"> • Self-contained (mild, moderate, or severe) regular campus; 	89.631005(c)(6)
P	<ul style="list-style-type: none"> • Off home campus; 	89.631005(c)(7)
P	<ul style="list-style-type: none"> • Nonpublic day school; 	89.631005(c)(8)
P	<ul style="list-style-type: none"> • Vocational adjustment class or program; 	89.631005(c)(9)
P	<ul style="list-style-type: none"> • Residential care and treatment facility (not school district resident); or 	89.631005(c)(10)
P	<ul style="list-style-type: none"> • State--supported living center. 	89.631005(c)(11)

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P	The LEA must comply with the PLACEMENT IN A RESIDENTIAL FACILITY framework.	
	PRESCHOOL-AGED CHILDREN	
P	The LEA must comply with the AGES 0-5 framework.	
P	LEAs must provide a free appropriate public education (FAPE) in the LRE to preschool-aged children even if the LEA does not provide free preschool programs to all preschool-aged children.	300.101(a) 300.101(b) 300.102(a)(1) 300.116
	CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS	
P	If a child is unable to receive FAPE in a regular CTE program using SUPPLEMENTARY AIDS AND SERVICES , the child may be served in separate programs designed to address the child's occupational/training needs, such as CTE for children with disabilities programs.	75.1023(c)
P	When determining placement in a CTE classroom, the ARD committee will consider the child's graduation plan, the content of the IEP, including the consideration of transition services, and classroom supports.	75.1023(d)(6)
P	Enrollment numbers in a CTE classroom must not create a harmful effect on learning for a child with or without disabilities.	75.1023(d)(6)
	REGIONAL DAY SCHOOL PROGRAM FOR THE DEAF	
P	LEAs must have access to regional day school programs for the deaf and the child must be eligible for consideration for the Regional Day School Program for the Deaf, subject to the ARD committee recommendations, if the child has a hearing impairment which:	89.1080
P	<ul style="list-style-type: none"> Severely impairs processing linguistic information through hearing, even with recommended amplification; and 	89.1080
P	<ul style="list-style-type: none"> Adversely affects educational performance. 	89.1080

DOCUMENT/ PRACTICE	FEDERAL AND STATE REQUIREMENTS	CITATIONS
	CHILDREN RESIDING IN A RESIDENTIAL FACILITY (RF)	
P	For children residing in an RF within the LEA, the LEA must comply with the RESIDENTIAL FACILITY WITHIN A DISTRICT framework.	

Last Updated: ~~Friday, February 09, 2018~~ Wednesday, November 10, 2021