

DETERMINING PLACEMENT IN THE LEAST RESTRICTIVE ENVIRONMENT

LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY

It is the policy of the District that students with disabilities receive all supplementary aids, services and placements, as determined by an individualized education program (IEP) team, in the least restrictive environment. The general education classroom with all appropriate supplementary aids and services is the first educational setting that the IEP team must consider. Only the IEP team during the IEP meeting, which includes participation by the parent, can make decisions regarding special education supplementary aids and services and placements.

LEGAL REQUIREMENT

The Individuals with Disabilities Education Act (IDEA) requires that students with disabilities be educated in the “least restrictive environment”, to the maximum extent appropriate, as determined by the individualized education program (IEP) team. This means that students with disabilities must have access to the general education curriculum, or any other program to which their nondisabled peers have access, to the degree appropriate based on their individual needs. The educational setting that the IEP team must first consider where the student has the greatest opportunity for integration with their nondisabled peers is the general education classroom. The less opportunity a student has to interact and learn with nondisabled peers, the more “restricted” or “segregated”, the placement. Students with disabilities must be provided the supplementary aids and services necessary to achieve their IEP goals in a setting with their nondisabled peers. In general, supplementary aids and services include, but are not limited to, equipment, technology, materials, related services, specialized personnel, program modifications or accommodations, etc., that a student with disabilities needs to receive educational benefit or make progress in their educational program.

DISTRICT COMMITMENT

The District is committed to serving all students with disabilities in the educational placement that is determined to be the least restrictive environment by the IEP team. IEP teams are solely responsible for determining the supplementary aids and services required to ensure that every student with a disability benefits from their educational program in the least restrictive environment. In accordance with the Code of Federal Regulations (CFR) § 300.116, “In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that---

The placement decision---

- Is made by a group of persons, including parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and is made in conformity with the CFR § 300.116 provisions;

The child’s placement---

- Is determined at least annually;
- Is based on the child’s IEP; and

- Is as close as possible to the child's home

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,

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

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.”

LRE DETERMINATION PRINCIPLES

The IEP team must apply the following four basic principles in discussing the supplementary aids and services and educational placement for students with disabilities:

- Special education is a service that students with disabilities receive, not a place where students are sent.
- IEP team determinations, including placement and supplementary aids and services, must be based on the individual needs of the student.
- To the extent feasible, student supplementary aids and services to promote learning must be moved to the student as opposed to the student moving to the supplementary aids and services.
- The extent to which students with disabilities are integrated with their nondisabled peers positively impacts their educational achievement and their social growth.

REQUIRED PROCEDURES AND SEQUENCE FOR THE IEP TEAMS TO FOLLOW IN DETERMINING EDUCATIONAL PLACEMENT IN THE LRE FOR STUDENTS WITH DISABILITIES

At the beginning of each IEP team meeting regardless of whether student's parent(s) attends, a designated District staff member of the IEP team shall read aloud the “IEP Team Meeting Introductory Statements”. The checkbox on Section N: *Procedural Safeguards and Follow-up Actions* page of the Welligent IEP shall then be marked indicating that the statements have been read prior to proceeding with the remainder of the IEP Team Meeting.

An IEP team must consider, discuss, and analyze relevant student data in developing an IEP, including:

- Present levels of performance;
- Goals and objectives to address areas of assessed need;
- Recommended supplementary aids, supports and services; and
- If applicable, English language development needs.

The IEP team meeting sequence listed above must include consideration, discussion, and analysis of all of the above-listed items prior to the IEP team determining the student's educational placement at the meeting and parent will be directed to the appropriate pages of the “Programs, Supports, and Services” section of *A Parent's Guide to Special Education Services (Including Procedural Rights and Safeguards)* to review as part of the educational placement discussion.

Placement must be made in the general education placement the student would otherwise attend if not eligible for special education unless the nature and severity of the student's needs are such that an appropriate program could not be provided even with supplementary aids and services.

The following questions must be addressed in discussions concerning placement considerations:

- Can the needs of the student be met in the educational placement available at the school of residence?
- If the needs of the student can be met at the school of residence, are supports, services, accommodations or modifications needed to ensure the environment is effective for the student?
- If the educational placement available at the school of residence initially appears not to meet the needs of the student, what supplementary aids and services would make the environment effective for the student?

Regardless of the student's educational placement, students with disabilities may be provided supplementary aids and services in order to promote their interaction with their nondisabled peers to the maximum extent appropriate so they can be educated with those peers.

During all IEP team meetings, in the discussion regarding placement (prior to filling out the FAPE Part I section of the IEP form), the IEP team administrator/designee must complete the "Least Restrictive Environment Analysis" form. The form can be created by going to the student's IEP Event Listing> In Process IEP> Placements and Supports> IEP Documents> Click LRE Analysis> Save. Complete the information on the LRE Analysis form as part of the IEP team discussion regarding placement from the beginning at Step A until the team reaches the Step that indicates YES. Then save the contents of the form by clicking the Save button on the upper right hand corner of the pop-up window. An "IEP Placement Procedures Flow Chart" is available to assist IEP teams in determining the most integrated environment for the student.

REQUIRED PREPARATORY ACTIVITIES AND PROCEDURES FOR INITIAL PLACEMENT CONSIDERATIONS

Adequate preparation is essential to an IEP team conducting an effective IEP team meeting. District IEP team members must engage in preparatory activities to discuss assessments, data and findings to determine if additional areas require further investigation and information. It is essential that the District administrator at the IEP meeting is knowledgeable of the program options, supports and services available.

Preparatory activities may include:

- Researching supplementary aids, services, and placement options available on the general education campus.
- Acquisition of additional information in specific areas from content experts in instruction (including English language development), behavior, and related services.

These preparatory activities must not predetermine decisions that are solely the responsibility of the IEP team. Decisions regarding special education supplementary aids, services and placements can only be made by the IEP team during an IEP team meeting and are the responsibility of the entire IEP team, which includes parents.

As part of these preparatory activities, draft IEPs may be used during the IEP team meeting as long as the contents of the draft IEP are subject to further discussion and consideration by the IEP team during the IEP team meeting which allows for parental input and opportunity to participate in the development and finalization of the IEP. Draft IEPs may not include program placement information prior to the IEP team

meeting being convened, as the student's educational placement can only be determined after the IEP team meeting sequence listed above is followed.

REQUIRED PREPARATORY ACTIVITIES AND PROCEDURES FOR REVIEW IEPs

The legal process for considering LRE is the same for initial and review IEPs. However, the preparatory discussions for review IEPs will be slightly different from initial IEPs in that the student has been receiving special education services, and therefore the District team will focus on the educational benefit the student is receiving from their educational placement and supplementary aids and services. Preparatory activities must not predetermine decisions that are solely the responsibility of the IEP team. Preparatory activities involve developing a feasible proposal(s) for presentation and consideration at an IEP meeting.

As part of these preparatory activities, draft IEPs may be used during the IEP team meeting as long as the contents of the draft IEP are subject to further discussion and consideration by the IEP team during the meeting which allows for parental input and opportunity to participate in the development and finalization of the IEP. Draft IEPs may not include program placement information prior to the IEP team meeting being convened, as the student's educational placement can only be determined after the IEP team meeting sequence listed above is followed.

Decisions regarding special education supplementary aids and services and placements can only be made by the IEP team during the meeting and are the responsibility of the entire IEP team, which includes parents. For a review IEP, the IEP team must always consider moving the student to a less restrictive setting if the student's current placement is outside the general education classroom or not on a general education site.

Factors that will assist in this decision include:

- The student has satisfactorily achieved a substantial number of the instructional objectives in the current IEP and there are indications that a different curriculum and instructional methodologies in a less restrictive setting would better support achievement of those instructional objectives.
- The curriculum and instructional methodologies this student needs can be effectively adapted for use in a less restrictive placement, even if the methodologies are not currently in use at the school.

As stated previously, during all IEP team meetings (prior to filling out the FAPE Part I section of the IEP form), the IEP team must complete the "Least Restrictive Environment Analysis". The IEP administrator/designee completes the form at the meeting based on the team discussion.

EDUCATIONAL PLACEMENT OPTIONS FOR IEP TEAMS TO CONSIDER WHEN DETERMINING THE LEAST RESTRICTIVE ENVIRONMENT FOR EACH STUDENT: PLACEMENTS RANGING FROM LEAST RESTRICTIVE TO MOST RESTRICTIVE FOR INITIAL AND REVIEW IEPs

The placement options listed below follow a continuum of placements for students with disabilities from least to most restrictive. In determining the appropriate setting, the IEP team must consider these placement options as a progression. Students must be provided educational opportunities in the most integrated placements before progressing to placements that are more segregated.

CONSIDERING SCHOOL OF RESIDENCE AND GENERAL EDUCATION CLASSROOM PLACEMENT

All discussions regarding educational placement must begin with the school and the general education classroom the student would attend if not disabled based on their age. Supplementary aids and services, identified by the IEP team, must be provided to the student in this setting. The classroom staff and any related service providers must maintain documentation of educational progress.

The recommendation for a general education classroom placement may include:

- General education classroom instruction for the entire school day with accommodations/modifications to the regular instructional program;
- General education classroom instruction for the entire school day with individualized instruction for part of the school day;
- General education classroom instruction for the entire school day, with individualized instruction by a special education teacher or related services provider for part of the school day;
- General education classroom instruction for most of the school day, with individualized instruction or services provided in another setting for part of the school day.

CONSIDERING GENERAL EDUCATION SITE IN A SPECIAL DAY PROGRAM PLACEMENT

Prior to making a recommendation for a special day program, the IEP team must discuss this level of restrictiveness from nondisabled peers and the potential benefit or harm relative to educational outcomes for the student, and document the discussion on the IEP. The decision to initially recommend a more restrictive educational placement must be supported with student specific data.

Decisions made for reasons other than student need and benefit are professionally inappropriate, contrary to the law, and put the District at risk.

The recommendation for a special day program placement may include:

- Self-contained classroom instruction for most of the school day
- Self-contained classroom instruction for the entire school day, with opportunities for integration with nondisabled peers in nonacademic and extracurricular activities.
- Considering Non-General Education Setting Placement Options

As part of any preparatory activity and as part of the IEP team discussion, the IEP team must consider whether all appropriate supplementary aids and services have been considered in the public school setting prior to recommending alternate placements.

A nonpublic school may only be recommended if no appropriate public education program with all necessary supports and services is available (Education Code § 56365(a)).

If a nonpublic school placement is to be considered at an IEP team meeting because a student's identified needs cannot be met by a District service, this determination must be supported by recent data and evaluations.

The Nonpublic Services Support Branch has developed an electronic platform that allows District staff to directly log requests for nonpublic school placement and nonpublic agency information. Please contact your Local District Special Education Administrator for support.

CONSIDERING IN HOME, HOSPITAL, OR RESIDENTIAL CARE FACILITY PLACEMENT OPTIONS

Instruction may be provided in the home, hospital, or a residential care facility based on the identified needs of the student and a lack of appropriate services available in a District school.

For home/hospital information, contact the Carlson Home Hospital School at (818) 509-8759.

For residential placement information and support, please contact the Psychological Services/ERICs department.

DETERMINING APPROPRIATE RELATED SERVICES AND RELATED SERVICES PROVIDERS

The Individuals with Disabilities Education Act (IDEA) requires that school districts provide intensive intervention to students prior to considering their eligibility for Related Services. It also contains provisions requiring students with disabilities to participate in general education curriculum, assessment, and accountability measures. The District's instructional plan is organized around a multi-tiered framework approach for instruction, intervention, and support for prevention and pre-referral intervention prior to an assessment for IEP consideration of a related service. Once the need for a Related Service is established, the District recommends a dynamic continuum of instructional delivery models of intervention. The role of Related Services is to support the unique needs of students with disabilities as identified in their individualized education program. The foundation of this approach is the collaboration between general education teachers, special education teachers, and service providers.

PROCEDURES FOR RECESSING IEP TEAM MEETINGS

In situations when an IEP team meeting may not be concluded in one day and will be reconvened on another (when the District will make its offer of a free appropriate public education), parents have a right to receive a printed copy of the IEP document. In this case, parents may request and be given a copy of a *"Worksheet – Not an Official Document"* IEP until the meeting is continued and completed.

Per LAUSD District policy, there are four allowable reasons for a recessed IEP meeting:

- Parent Exploring Placement Options (Example: Magnet)
- Parent Exploring NPS Placement Options;
- A recessed IEP team meeting may be necessary to allow parents to complete nonpublic school intake processes; or
- Emergency; Details in the Meeting Notes (Example: Lockdown, Collective Bargaining Agreement Limitations).

When "Recessed" is selected as the Meeting Status, a dropdown menu will appear. The reason for recessing the meeting must be selected, and the Projected Reconvene Date required.

The following steps are to be completed when recessing an IEP meeting to be reconvened later:

- Indicate on FAPE Part 4, *Additional Discussion*, that the IEP has been recessed. As such, the IEP is a draft until the all of the documents have been reviewed with the IEP team and the District has made an offer of FAPE.
- Click Save/Close.
- Change the Meeting Status to “Recessed”.
- Select a Recess Reason from the dropdown menu.
- Enter a Projected Reconvene Date.
- If necessary, document a further explanation on Meeting Notes.
- Do not enter a date into the Date of IEP Meeting field, as this will lock the document pages.
- Click Save. Click Close.
- Upon parent request, provide the parents a copy of the IEP document, *Worksheet – Not an Official Document*.
- After the IEP team meeting has been reconvened, the District has made an offer of FAPE and the IEP has been completed, change the Meeting Status to “Completed.”
- In the Date of IEP Meeting field, use the date and time of the first meeting, not the reconvened date, to lock the IEP.
- The Recess Date, Reconvene Date and Reason will be documented in Recess History above the Meeting Notes.
- Follow procedures identified above in, *“Procedures for Locking an IEP with a Complete Offer of FAPE.”*

PROCEDURES FOR LOCKING AN IEP WITH A COMPLETE OFFER OF FAPE

At the end of an IEP meeting, while parents/guardians are present, IEPs must be locked with the IEP status of “Pending” by entering a date in the “Date of IEP Meeting” field on the IEP Meeting screen. Even if an IEP meeting is held when the parents/guardians are not able to attend (for example, after several attempts to schedule the meeting were made, or a teleconference or other means of parent participation has taken place), the IEP must still be locked as “Pending” at the end of the meeting. It is not permissible to add to or change anything on an IEP document after the meeting is over.

Note that when the document is locked as “Pending” in the Welligent system, the parent signature and parent comment sections remain open.

If the IEP document has the statement “worksheet, not an official document” written on each page, then the IEP has not yet been locked with the status of “Pending”. Should the parents/guardians indicate that they are in disagreement with the IEP; the IEP must still be locked as “Pending” at the conclusion of the meeting in the same manner as an IEP that is not in dispute. The specific disagreement can be noted on the Section Q, *Parent Participation and Consent* pages (“Page 10 of the IEP”) after the IEP is locked with the status of “Pending”.

There are two stages of locking an IEP. The first, “Date of IEP Meeting” on the IEP Meeting screen will lock the documents from being modified with the exception of the Section G, *Annual Goals and Objectives*, Page 10 of the IEP including the Management screens and will allow printing of the IEP for the parent/guardian to sign. The parent should receive a “clean” copy. They may decide to take the IEP home for review and consideration before completing the Page 10 of the IEP. In either case, once the IEP is completed, parents/guardians must never be told that they will be sent a copy of the child’s IEP later.

The second and final stage is when the “Date District Received Parent Signature” is entered on the IEP Meeting screen. This will then lock the Page 10 of the IEP and the Management screens. When the District (school) receives the signed Page 10 of the IEP from the parent/student (18-21), the date of receipt must be time-stamped on the signed Page 10 of the IEP. If a time stamp is not available, the administrator or administrative designee should handwrite the date received and include their full signature. Any handwritten time stamp on Page 10 of the IEP must include the following three items: (1) District Received; (2) Date in MM/DD/YY format; and (3) Administrator/Administrative Designee’s complete signature.

Next, the school is to provide the parent/student (18-21) a copy of the time-stamped Page 10 of the IEP.

The administrator or administrative designee then updates the Page 10 of the IEP in the Welligent system and transcribes the parent/student’s (18-21) agreement or disagreement to the various components of the IEP including all written comments and the date of the signature as reflected on the hard copy of Page 10 of the IEP. If the date on the signed Page 10 is different from the date the District receives the signed Page 10, the time-stamped date should always be entered on the Welligent IEP Meeting screen in the “Date District Received Parent Signature” field.

Once the “Date District Received Parent Signature” is entered, the eligible IEP will automatically become Active. Remember, the IEP does not appear on reports nor will it update timelines or LAUSD Student Information System until the “Date District Received Parent Signature” is entered and the IEP is Active. It is very important for Case Managers to monitor their “Pending IEP’s” on their “My IEP Summary” screen and get parent responses.

The date the District (school) receives the signed Page 10 of the IEP is the date the agreed upon IEP placement, supports and services in the new IEP will begin.

RECORD-KEEPING AND FOLLOW-UP ACTIONS

After the date has been entered into the “Date District Received Parent Signature” field on the IEP Meeting Screen and the IEP Status displays “Active,” scan the original Page 10 of the IEP with parent/student (18-21) signature and upload under *Attached Documents* on the IEP Management screen. Place the hard copy of the signed Page 10 in the student’s green folder or special education confidential folder.

FACILITATING THE IMPLEMENTATION OF THE IEP

The school site administrator is accountable for the implementation of the IEP. Immediately subsequent to the IEP meeting, the following procedures shall be addressed by the school administrator or administrative designee to ensure timely implementation of the IEP:

- Ensure that individual IEP team members are clear about specific follow-up actions and timelines for which they are responsible. Each employee should be aware of his/her duties with regard to implementing an IEP (e.g. providing services and/or instructional accommodations, supporting goals and objectives, etc.), and should participate in staff development activities to improve skills, as needed.

- Establish a procedure so that all pertinent staff and supervising offices (e.g., related services, nonpublic services, behavior, etc.) who will be implementing the IEP have access to the relevant components of the IEP.
- Determine and document if provisions are necessary for teachers and other staff to collaboratively plan, instruct, and evaluate the performance of students with disabilities, and determine the schedule for such opportunities to occur.
- Develop procedures to follow when paraprofessional support is absent so that students with disabilities are not denied assistance or sent home.
- Plan transition activities, as necessary, if the student's placement has been changed from one instructional setting to another so that the student is positively supported, school staff is knowledgeable and ready to support the student in transition, and peers welcome the student.
- Identify school team members to develop ongoing instructional strategies, curricular adaptations, peer support, positive behavior intervention planning, transition skills, and orientation strategies.
- Assist in defining administrator, general education, special education, related services, and special education assistant roles and responsibilities for implementation of the IEP so that the student's placement, with the use of supplementary aids and services as appropriate, is successful.
- Support and supervise school staff in the implementation of any required follow-up actions (e.g. provision of curricular materials, delivery of instruction, accommodations, supports, service delivery and documentation, addressing parent concerns, transportation, report of educational progress to parents and adherence to all legal requirements).

FURTHER INFORMATION

SUPPLEMENTARY INSTRUCTIONAL PROGRAM SUPPORTS

Classroom and campus environmental needs

- Preferential seating
- Planned seating on the bus, in the classroom
Lunchroom, auditorium
- Alter physical room arrangement
- Defines areas correctly
- Reduce/minimize visual, auditory, spatial,
movement distractions
- Teach positive rules for use of space

Specialized equipment

- Calculator
- Video
- Telephone adaptations
- Computer
-

Pacing of instruction

- Extended time requirements
- Vary activity often
- Allow breaks
- Omit assignments requiring copying in timed
situation
- School texts sent home for summer preview
- Home set of texts/materials for
preview/review

Alternate presentation of subject matter

- Teach to student's learning style
 - linguistic •logical/math •musical
 - auditory •spatial •body/kinesthetic
 - interpersonal •visual
- Utilize specialized curriculum
- Teacher tape lectures/discussions for replay
- Teacher provide notes
- NCR paper for peer to provide notes
- Functional application of academic skills
- Present demonstrations (models)
- Utilize manipulatives
- Emphasize critical information
- Pre-teach vocabulary
- Make/Use vocabulary files
- Reduce language level or reading level
assignment
- Use total communication
- Use facilitated communication
- Share activities
- Use visual sequences

Materials adaptation

- Arrangement of material on page
- Taped text and/or other class materials
- Highlighted texts/study guides
- Use supplementary materials
- Note taking assistance; carbonless or photo
copy of notes of general education students
- Type teacher material
- Large print

Modification of assignments

- Give directions in small, distinct steps (written/picture/verbal)
- Use written back up for oral directions
- Lower difficulty level
- Shorten assignment
- Reduce paper and pencil tasks
- Read or tape record directions to student
- Use pictorial directions
- Give extra cues or prompts
- Allow student to record or type assignment
- Adapt worksheets, packets
- Utilize compensatory procedures by providing alternate
assignment/strategy when demands of class conflict with student
capabilities
- Avoid penalizing for spelling errors/sloppy
- Avoid penalizing for penmanship

Self-management/follow-through strategies

- Visual daily schedule
- Calendars
- Check often for understanding/review
- Request parent reinforcement
- Have student repeat directions
- Teach study skills
- Use study sheet to organize material
- Design/write/use long-term assignment timelines
- Review and practice in real situations
- Plan for generalizations
- Teach skill in several settings/environments

Social interaction support

- Peer advocacy
- Peer tutoring
- Structure activities to create opportunities for social interaction
- Focus on social process rather than activity/end product
- Structure shared experiences in school and extracurricular activities
- Cooperative learning groups
- Use multiple/rotating peers
- Teach friendship skills/sharing/negotiation
- Teach social communication skills
 - Greetings •Conversation turn-taking
 - Sharing •Negotiation

Testing adaptations

- Oral
- Audio-taped
- Pictures
- Read test to student
- Preview language of test
- Test administered by special education teacher
- Short answer
- Multiple choice
- Modify format
- Shorten length
- Extended time

Identification and use of motivators and positive reinforcement strategies

- Verbal
- Nonverbal
- Positive reinforcement
- Concrete reinforcement
- Planned motivating sequences of activities
- Reinforce initiation
- Offer choice
- Use strengths and
interests often