



**LOS ANGELES UNIFIED SCHOOL DISTRICT
POLICY BULLETIN**

TITLE: Determining the Appropriate Educational Placement for Students with Disabilities in the Least Restrictive Environment (LRE)

NUMBER: BUL-5901.4

ISSUER: Beth Kauffman, Associate Superintendent
Division of Special Education

DATE: May 15, 2017

ROUTING
 All Schools
 Local District Superintendents
 Instructional Directors
 School Site Administrators
 Staff Working with Students with Disabilities

PURPOSE: The purpose of this Bulletin is to articulate the Los Angeles Unified School District’s policy regarding the required procedures for determining the educational placement of students with disabilities in the least restrictive environment (LRE).

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. Decisions regarding special education supplementary aids and 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.

MAJOR CHANGES: Major changes include (1) clarifying language included regarding IEP team authority in the decision-making process; (2) the sequence and procedures that must be followed during IEP team meetings to ensure alignment with state and federal laws and regulations.

BACKGROUND: Least Restrictive Environment (LRE)

The Individuals with Disabilities Education Act (IDEA) requirement that students with disabilities be placed in the “least restrictive environment” means that students with disabilities must be educated with their nondisabled peers, to the maximum extent appropriate, as determined by the individualized education program (IEP) team. 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 general education classroom where the student has the greatest opportunity to be integrated with their nondisabled peers is the first educational setting that the IEP team must consider. The less opportunity a student has to interact and learn with



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BACKGROUND (Continued):

nondisabled peers, the more the placement is considered to be “restricted” or “segregated.” 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 from their educational program.

Policy Basis in Law

In accordance with federal and state laws and special education regulations, including the *Individuals with Disabilities Education Act (IDEA), 2004*, 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---

- a. The placement decision---
 1. 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
 2. Is made in conformity with the CFR § 300.116 provisions
- 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;
- 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.”



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PROCEDURES: LEAST RESTRICTIVE ENVIRONMENT (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:

1. Special education is a service that students with disabilities receive, not a place where students are sent.
2. IEP team determinations, including placement and supplementary aids and services, must be based on the individual needs of the student.
3. 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.
4. 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 IEP TEAMS TO FOLLOW IN DETERMINING EDUCATIONAL PLACEMENTS FOR STUDENTS WITH DISABILITIES IN THE LEAST RESTRICTIVE ENVIRONMENT (LRE)

At the beginning of each IEP team meeting regardless of whether student's parent(s) is in attendance, 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 section of the Welligent IEP system shall then be checked 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:

1. Present levels of performance;
2. Goals and objectives to address areas of assessed need;
3. Recommended supplementary aids, supports and services; and
4. 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



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PROCEDURES (Continued):

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.

I. Initial IEP Placement Procedures

- A. District IEP team members must schedule preparatory activities to discuss assessments, data and findings to determine if additional areas require investigation. These preparatory activities may include researching supplementary aids and services and placement options available on the general education campus. Content experts in instruction (including English language development), behavior, and related services are available to assist IEP team members in acquiring additional information in specific areas. Adequate preparation is essential to an IEP team conducting an effective IEP team meeting.

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 as an IEP team member. 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.

- B. In determining placement and supplementary aids and services for students with disabilities, the IEP team must follow the decision-making process defined in law and addressed in the “Background” section of this Bulletin under the “Policy Basis in Law” heading on page 2.
- C. Placement decisions must be made taking into consideration the following:
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.



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PROCEDURES (Continued):

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

1. Can the needs of the student be met in the educational placement available at the school of residence?
2. 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?
3. 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" (Attachment A).

Create the form 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" (Attachment B) is available to assist IEP teams in determining the most integrated environment for the student.

II. Required Procedures for Making IEP Placement Decisions for Review IEPs

- A. 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 than 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



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PROCEDURES (Continued):

not predetermine decisions that are solely the responsibility of the IEP team. 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 as an IEP team member. 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.

- B. Central to the IEP team's discussion of the review IEP is a consideration of the educational benefit the student is receiving in the current setting. The IEP team will need to look at curriculum-based measures, intervention data, standardized assessments, informal measures, and social-emotional growth. Content experts in instruction, behavior, and related services are available to assist IEP team members in acquiring additional information in specific areas.
- C. Decisions regarding special education supplementary aids and 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. 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:
 1. 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.
 2. 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.

During all IEP team meetings (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" (Attachment A).

Create the form 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



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PROCEDURES (Continued):

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” (Attachment B) is available to assist IEP teams in determining the most integrated environment for the student based on the student’s IEP and the educational benefit the student is receiving from their educational placement and supplementary aids and services.

III. 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 more segregated placements.

During all IEP team meetings, in the discussion regarding placement (prior to filling out the FAPE Part section of the IEP form), the IEP team administrator/designee must complete the “Least Restrictive Environment Analysis” (Attachment A).

Create the form 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” (Attachment B) is available to assist IEP teams in determining the most integrated environment for the student based on the student’s IEP and the educational benefit the student is receiving from their educational placement and supplementary aids and services.



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PROCEDURES (Continued):

A. 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 based on their age. Supplementary aids and services, identified by the IEP team, must be provided to the student in this setting. Documentation of progress must be maintained by the classroom staff and any related service providers.

The recommendation for a general education classroom placement may include:

1. General education classroom instruction for the entire school day with accommodations/modifications to the regular instructional program.
2. General education classroom instruction for the entire school day with individualized instruction for part of the school day.
3. 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.
4. 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.

B. Considering General Education Site in a Special Day Program Placement

Prior to making a recommendation for a special day program, the IEP team must (1) discuss this level of restrictiveness from nondisabled peers in regard to the potential benefit and harm relative to educational outcomes for the student, and (2) 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:

1. Self-contained classroom instruction for most of the school day, with instruction in the general education classroom for part of the day.



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PROCEDURES (Continued):

2. Self-contained classroom instruction for the entire school day, with opportunities for integration with nondisabled peers in nonacademic and extracurricular activities.

C. Considering Non-General Education Setting Placement Options

As a 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 conducted in advance of the IEP team meeting being convened.

For nonpublic school placement procedures please refer to BUL-5757.3: "Nonpublic School (NPS) Placement Policies and Placement Procedures for the Individualized Education Program (IEP) Team," dated June 4, 2013.

D. 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 the lack of feasibility of instruction being provided in a District school.

1. For home/hospital information, contact the Carlson Home Hospital School at (818) 509-8759.
2. For residential placement procedures, refer to BUL-5757.3: "Nonpublic School (NPS) Placement Policies and Placement Procedures for the Individualized Education Program (IEP) Team," dated June 4, 2013.

IV. Procedures for Recessing IEP Team Meetings

An IEP Team Meeting shall be recessed only when necessary and limited to the following reasons:

1. Parent Request;



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2. Parent Exploring Placement Options (Example: Magnet)
3. Parent Exploring NPS Placement Options;
A recessed IEP team meeting may be necessary to allow parents to complete nonpublic school intake processes; or
4. 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 is also required. For more information on documentation of a recessed IEP, see REF-6672.0: “New Individualized Education Program (IEP) Team Meeting Requirements – Spring 2016.”

AUTHORITY:

This is a policy of the Superintendent of Schools. Legal authority includes: The Individuals with Disabilities Education Act (IDEA), 2004.

RELATED RESOURCES:

- *Individuals with Disabilities Education Act (IDEA), 2004*
- *Code of Federal Regulations*
- *California Education Code*
- BUL-5757.3: “Nonpublic School (NPS) Placement Policies and Placement Procedures for Individualized Education Program (IEP) Teams”
- REF-6672.0: “New Individualized Education Program (IEP) Team Meeting Requirements – Spring 2016”

ATTACHMENTS:

Attachment A: Least Restrictive Environment Analysis
Attachment B: IEP Placement Procedures Flowchart

ASSISTANCE:

For assistance or further information, please contact Aaron Jeffrey, Director, Special Education Service Center-Operations at (213) 241-6701.

LEAST RESTRICTIVE ENVIRONMENT ANALYSIS

To Be Completed By the IEP Team at the IEP Team Meeting

Student Name Last, First		Student ID	
School Contact Name/Position		School Contact Email Address	

Student's Current Placement Type:

<input type="checkbox"/> General Education Class/General Education Site	<input type="checkbox"/> Special Day Program/General Education Site
<input type="checkbox"/> Special Day Program/Special Education Center	<input type="checkbox"/> Nonpublic School
<input type="checkbox"/> Home/Hospital or Residential Care Facility	

DIRECTIONS: Complete the information below as part of the IEP team discussion regarding placement from the beginning at Step A until the team reaches the Step that indicates YES.

The Individuals with Disabilities Education Act (IDEA) requires that students with disabilities be educated in the least restrictive environment. Placement in a more restrictive setting should only occur if the nature or severity of the student's disability is such that placement in a less restrictive setting with the use of supplementary aids and services cannot be achieved satisfactorily. The lack of current availability of a student's required supports, services, accommodations and modifications is not the sole justification for placement in a more restrictive setting, unless there is a compelling reason why they cannot be provided.

Step A.	Can the supports, services, accommodations and/or modifications in the student's IEP be made available in a general education classroom/setting?	
	<input type="checkbox"/> YES <input type="checkbox"/> NO	If the answer is YES, then a general education classroom/setting is the appropriate placement. If the answer is NO, go to the question below.
	<input type="checkbox"/> YES <input type="checkbox"/> NO	If not currently available, can the required supports, services, accommodations and/or modifications be made available in a general education classroom/setting? If YES, all required supports, services, accommodations and/or modifications must be provided within a reasonable timeline. If the answer is NO, please articulate why in the box below. Then go to Step B.

Step B.	Can the supports, services, accommodations and/or modifications in the student's IEP be made available on a general education site in a special day program?	
	<input type="checkbox"/> YES <input type="checkbox"/> NO	If the answer is YES, then a special day program on a general education site is the appropriate placement. If the answer is NO, go to the question below.

<input type="checkbox"/> YES <input type="checkbox"/> NO	If not currently available, can the required supports, services, accommodations and/or modifications be made available in a special day program on a general education site? If YES, all required supports, services, accommodations and/or modifications must be provided within a reasonable timeline. If the answer is NO, please articulate why in the box below. Then go to Step C.

Step C.	Can the supports, services, accommodations and/or modifications in the student's IEP be made available in a non-general education setting?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If the answer is YES, then a non-general education setting is the appropriate placement. If the answer is NO, go to the question below.	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If not currently available, can the required supports, services, accommodations and/or modifications be made available in a non-general education setting? If YES, all required supports, services, accommodations and/or modifications must be provided within a reasonable timeline. If the answer is NO, please articulate why in the box below. Then go to Step D.	

Step D.	Can the supports, services, accommodations and/or modifications in the student's IEP be made available in a home/hospital setting?	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If the answer is YES, then a home/hospital setting is the appropriate placement. If the answer is NO, go to the question below.	
<input type="checkbox"/> YES <input type="checkbox"/> NO	If not currently available, can the required supports, services, accommodations and/or modifications be made available in a home/hospital setting? If YES, all required supports, services, accommodations and/or modifications must be provided within a reasonable timeline. If the answer is NO, please articulate why in the box below. Then go to Step E.	

Step E.	Can the supports, services, accommodations and/or modifications in the student's IEP be made available in a residential care facility?	
<input type="checkbox"/> YES	If not currently available, articulate in the IEP what supports, accommodations and/or modifications are required for the student in this setting.	

IEP PLACEMENT PROCEDURES FLOW CHART

FOCUS QUESTION: What is the most integrated environment for the student based on the student's IEP (unless this is an initial IEP team meeting) and the educational benefit the student is receiving from their educational placement and supplementary aids and services?

Preparatory Activities and Review of IEP

The IEP team will need to look at curriculum-based measures, intervention data, standardized assessments, informal measures, and social-emotional growth. The IEP team (which includes parents as equal participants), must always consider moving the student to a more integrated setting if the student's current placement is outside the general education classroom or not on a general education site.

The IEP Team Must Consider, Discuss, and Analyze

Present levels of performance; goals to address areas of assessed need; and recommended supplementary aids and services prior to determining the student's educational placement. 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. Factors to assist in decisions: (1) What is the level of achievement for the instructional objectives in the current IEP? (2) The curriculum and instructional methodologies this student needs can be effectively adapted for use in a more integrated placement.

IMPORTANT: During the IEP team meeting, the IEP team must complete the "Least Restrictive Environment Analysis" form. Please refer to the detailed instructions in the PROCEDURES section of BUL-5901.4.

Placement Decision Considerations

(1) Decisions are made by an IEP team, including parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. (2) The student must not be removed from age-appropriate general education classrooms solely because of needed supports, services, accommodations, and modifications in the general education curriculum. (3) In selecting the LRE, consideration is given to any potential harmful effect on the student or on the quality of services that he or she needs. (4) 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 be necessary to make the placement positively impact the student's educational achievement and social growth? (5) Placement decisions are determined at least annually and must be as close as possible to the student's home.

Least Restrictive Environment Requirement

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.