| ODE logo | **State Performance Plan (SPP)**  **Fact Sheet**  **Indicator B5: Least Restrictive Environment (LRE) Placement** | | | |
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# **Oregon State Performance Plan**

Under the Individuals with Disabilities Education Act of 2004 (IDEA), the Oregon Department of Education (ODE) is required to submit a six-year State Performance Plan (SPP) to the Office of Special Education Programs (OSEP). The OSEP has developed key performance measures, known as indicators, to measure both compliance and results. The OSEP sets the targets for compliance indicators and the ODE sets targets for the results indicators. The SPP must include targets for each results indicator. The ODE reports on progress made toward these indicators each year in the Annual Performance Report (APR). Every six years the ODE must review results targets and engage key partners in the development of new targets. ODE is currently seeking input related to the indicators for which targets must be established and will be holding a public input session to discuss data related to this indicator in December 2021. Please see the [ODE State Performance Plan and Annual Reports for Special Education webpage](https://www.oregon.gov/ode/reports-and-data/SpEdReports/Pages/State-Performance-Plan-and-Annual-Performance-Report-for-Special-Education.aspx) for more information and to register for the public input session. You can also provide input without attending the session through [this survey](https://app.smartsheet.com/b/publish?EQBCT=fca53ef22137471da61ffd303d6ad426).

# **What does this indicator measure and why is it important?**

Indicator B5 addresses a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment, or LRE as it is more commonly called, by measuring the percent of children with IEPs aged 5 who are enrolled in kindergarten and aged 6 through 21 who are served/educated:

1. Inside the regular class 80% or more of the day;
2. Inside the regular class less than 40% of the day; and
3. In separate schools, residential facilities, or homebound/hospital placements.

In basic terms, LRE[[1]](#footnote-2) refers to the setting where a child with a disability can receive an appropriate education designed to meet their educational needs, alongside peers without disabilities to the maximum extent appropriate. LRE is a foundational element in building an appropriate IEP that can improve outcomes for a child – in school and life. For FAPE in the LRE to occur, the IEP development (or acceptance for transfer student) must precede the placement decision. The present levels of academic and functional performance provide the background for the child’s placement and for the LRE. The “nonparticipation statement” in the IEP contributes to placement, but in and of itself is not placement.

The LRE requirements in the IDEA express a strong preference, not a mandate, for educating children with disabilities in regular classes alongside their peers without disabilities. (71 Fed. Reg. 46585) LRE is one of several vital components in the development of a child’s Individualized Education Program (IEP) and plays a critical role, influencing:

* Where a child spends their time at school,
* How services are provided, and
* The relationships the child develops within the school and community.

# **What is the data source?**

The data for this indicator comes from the December Special Education Child Count collection, specifically in IDEA Section 618 Data in EDFacts file [FS002 - Children with Disabilities (IDEA) School Age](https://www2.ed.gov/about/inits/ed/edfacts/file-specifications.html) . Data are collected annually from each school district through the Federal Placement Code information reported in the December Special Education Child Count (SECC). The SECC collects data about students eligible for special education services as of December 1.

# **Does the baseline need to be set or reset for this indicator?**

Yes, the previous baseline used placement data for K-12 students aged 6-21. The current measurement requires ODE to report placement data on K-12 students aged 5-21. Therefore, ODE must establish a new baseline for this indicator. ODE proposes using our most recent targets as a new baseline for this indicator for the FFY 2020-2025 State Performance Plan, as follows:

| **Baseline** | **5A** | **5B** | **5C** |
| --- | --- | --- | --- |
| FFY 2019 | 75.00% | 9.25% | 1.80% |

# **How has Oregon performed over time?**

1. Percent of children with IEPs aged K5-21 who are served inside the regular class 80% or more of the day

| **FFY** | **2005** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Target ≥ | *Baseline* | 72.00% | 72.00% | 72.00% | 73.00% | 73.00% | 75.00% |

1. Percent of children with IEPs aged K5-21 who are served inside the regular class less than 40% of the day

| **FFY** | **2005** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Target ≤ | *Baseline* | 10.80% | 10.70% | 10.70% | 10.60% | 10.60% | 10.60% |

1. Percent of children with IEPs aged K5-21 who are served in separate schools, residential facilities, or homebound/hospital placements

| **FFY** | **2005** | **2014** | **2015** | **2016** | **2017** | **2018** | **2019** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Target ≤ | *Baseline* | 1.80% | 1.80% | 1.80% | 1.80% | 1.80% | 1.80% |

**What are the new targets?**

The ODE will not set new targets until we hear from our partners. There are several ways to set new targets. It could be a percentage increase, start with the end game in mind, or examine trends over time and make predictions based on trends. Some helpful information about setting targets:

* Targets are meant to support improved results and outcomes for children and families. They should be within reach but still show growth.
* Change takes time. Targets can be created with this understanding in mind. For example, targets may stay the same for several years in a row, and then improve slightly during the final target year (FFY 2025). Alternatively, targets could show a slight improvement each year.

**Example A**

| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| --- | --- | --- | --- | --- | --- | --- |
| Targets for 5A ≥ | 75.00% | 75.00% | 76.00% | 76.00% | 78.00% | 78.00% |
| Targets for 5B ≤ | 9.25% | 8.90% | 8.80% | 8.70% | 8.60% | 8.50% |
| Targets for 5C ≤ | 1.80% | 1.80% | 1.80% | 1.80% | 1.80% | 1.75% |

Example A shows a gradual improvement.

**Example B**

| **FFY** | **2020** | **2021** | **2022** | **2023** | **2024** | **2025** |
| --- | --- | --- | --- | --- | --- | --- |
| Targets for 5A ≥ | 75.00% | 76.00% | 77.00% | 77.00% | 78.00% | 79.00% |
| Targets for 5B ≤ | 9.25% | 9.00% | 8.70% | 8.40% | 8.00% | 7.80% |
| Targets for 5C ≤ | 1.80% | 1.70% | 1.60% | 1.60% | 1.50% | 1.40% |

Example B shows more ambitious improvement.

**If you need more information in order to provide input, please contact:**

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1. Information in this section was adapted from: Center for Parent Information & Resources. (n.d.). Considering LRE in placement decisions. Retrieved from <https://www.parentcenterhub.org/placement-lre/>. [↑](#footnote-ref-2)