

# Priority Area 1: Least Restrictive Environment (LRE)



OREGON  
DEPARTMENT OF  
EDUCATION

*Oregon achieves . . . together!*



## Priority Area 1: Least Restrictive Environment (LRE)

Under 34 CFR § 300.114, “to the maximum extent appropriate,” students experiencing disabilities, including those in public or private institutions or other care facilities, are educated with children who do not experience disabilities. Special classes, separate schooling, or other removal from the general education environment occurs only when the nature or severity of the student’s disability is such that education in general education classes, with the use of supplementary aids and services, cannot be achieved satisfactorily.

The Individuals with Disabilities Education Act (IDEA) requires that Local Educational Agencies (LEAs) provide a full continuum of alternative placements. These range from general education classrooms with support to more restrictive settings, such as special classes, special schools, and home or hospital settings. The IEP team is tasked with determining the most appropriate educational placement in the least restrictive environment (LRE) that meets the student’s unique needs arising from their disability.

*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...*

The purpose of this priority area is to ensure that placement decisions are individualized and determined in accordance with IDEA regulations. It aims to assess whether students experiencing disabilities are educated in settings that allow them to be included to the greatest extent appropriate while receiving the necessary supports. LEAs must document that placement decisions are made based on each student’s individual needs and not solely on factors such as disability category, availability of special education services, or administrative convenience. In making these determinations, the team considers the potential benefits and possible detrimental effects of placement options and strives to support the student’s participation in the general education environment whenever possible.

To comply with these requirements, LEAs must ensure that students experiencing disabilities have access to the general education curriculum and are provided with appropriate supplementary aids and services. These supports should be designed to facilitate the student’s success in the least restrictive environment. The placement process is designed to be collaborative, involving input from educators, parents, and, when appropriate, the student.

This review process provides LEAs with the opportunity to examine their practices and make necessary adjustments to support the inclusion of students experiencing disabilities. The outcomes of these reviews should help schools and districts review and improve their placement practices, increase support for high quality inclusion, improve educational outcomes for students experiencing disabilities, and ensure compliance with IDEA regulations.

By using this protocol, the LEA will respond to a series of questions to explore whether it is meeting critical components related to least restrictive environment. If noncompliance is found in this area, it is recommended that the LEA correct these findings as soon as possible. In all cases, noncompliance must be corrected no more than one year from the ODE's written notification. Additionally, when noncompliance could cause a student to be denied 10 or more instructional days, the LEA must correct according to the shortened timeline outlined in OAR 581-015-2015.

## LEAST RESTRICTIVE ENVIRONMENT (LRE)

### RECORD REVIEW ITEM: LRE-1 - 34 CFR § 300.116(a)

Record Review Item	Potential Documentation
<p><b>Placement Determined by Knowledgeable Group:</b></p> <p>The placement decision was made by a group of individuals, including the parents and other individuals knowledgeable about:</p> <ul style="list-style-type: none"><li>• the student;</li><li>• the meaning of evaluation data; and</li><li>• placement options</li></ul>	<ul style="list-style-type: none"><li>• Special Education Placement Determination</li><li>• Prior Written Notice</li><li>• Notice of Team Meeting, showing parent invitation</li><li>• Records of LEA attempts to secure parent attendance at IEP meeting where placement was determined</li><li>• Meeting notes</li></ul>
<b>Evidence of Compliance</b>	
<p><input type="checkbox"/> <b>YES</b></p> <p>Mark <b>YES</b> if there is evidence that <b>any</b> of the following are true:</p> <ul style="list-style-type: none"><li>• the placement decision was made by a knowledgeable group, including the parent, with individuals clearly identified and documented as having knowledge about the student, evaluation data, and placement options;</li><li>• the placement decision was made by a knowledgeable group, with individuals clearly identified and documented as having knowledge about the student, evaluation data, and placement options. The parent was invited to participate in the meeting, <b>but did not attend, and</b> this is clearly documented.</li></ul>	<p><input type="checkbox"/> <b>NO</b></p> <p>Mark <b>NO</b> if there is evidence that <b>any</b> of the following are true:</p> <ul style="list-style-type: none"><li>• the placement decision was <b>not</b> made by a knowledgeable group;</li><li>• the parent was <b>not</b> invited to the meeting.</li></ul>

**RECORD REVIEW ITEM: LRE-2 - 34 CFR § 300.116(b)**

Record Review Item	Potential Documentation
<p><b>Placement Decision:</b></p> <p>The file's documentation demonstrates that the student's placement was:</p> <ul style="list-style-type: none"> <li>• determined annually, at a minimum;</li> <li>• based on the student's needs as indicated in the IEP;</li> <li>• as close as possible to the student's home;</li> <li>• resulted in the student being educated in the school that they would attend if nondisabled unless the IEP requires another arrangement.</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting Notes</li> <li>• IEP – Present levels of academic achievement and functional performance, Specially Designed Instruction, Related Services and/or Special Factors, Nonparticipation Justification, demographic page</li> <li>• Student Information System showing resident school and attending school</li> <li>• Documentation of parent choice if the student is not attending their resident school due to parent choice</li> <li>• Other relevant information used to make placement decisions during the IEP process</li> <li>• Special Education Placement Determination</li> </ul>
<b>Evidence of Compliance</b>	
<p><input type="checkbox"/> <b>YES</b></p> <p>Mark <b>YES</b> if the evidence indicates that placement decisions are made in conformity with <b>all</b> of the LRE provisions below:</p> <ul style="list-style-type: none"> <li>• determined annually, at a minimum;</li> <li>• based on the student's needs as indicated in the IEP;</li> <li>• as close as possible to the student's home; <b>and</b></li> <li>• resulted in the student being educated in the school that they would attend if nondisabled unless the IEP requires another arrangement.</li> </ul> <p>Note: Special factors or justifications requiring a more restrictive placement decision may be considered as evidence of compliance if there is also evidence that the above factors were considered.</p>	<p><input type="checkbox"/> <b>NO</b></p> <p>Mark <b>NO</b> if the evidence indicates that <b>either</b> of the following are true:</p> <ul style="list-style-type: none"> <li>• placement decisions are <b>not</b> made in conformity with any of the required LRE provisions as listed above;</li> <li>• placement decision is <b>not</b> supported by information within the student's IEP.</li> </ul>

**RECORD REVIEW ITEM: LRE-3 - 34 CFR § 300.320(a)(4)**

Record Review Item	Potential Documentation
<p><b>Accommodations and Modifications Included and Aligned with Present Levels:</b></p> <p>The IEP documents appropriate accommodations and modifications based on the student's needs, enabling the child to be involved and make progress in the general education curriculum and participate in extracurricular and non-academic activities with peers.</p>	<ul style="list-style-type: none"> <li>• IEP – Present levels of academic achievement and functional performance</li> <li>• IEP – Service summary</li> <li>• Evaluation results</li> <li>• Meeting notes</li> <li>• Progress reports</li> </ul>
<b>Evidence of Compliance</b>	
<p><input type="checkbox"/> <b>YES</b></p> <p>Mark <b>YES</b> if there is evidence that <b>all</b> the following are true:</p> <ul style="list-style-type: none"> <li>• the accommodations and modifications were reviewed annually; <b>and</b></li> <li>• the accommodations and modifications documented in the IEP are based on the needs of the student and align with the student's present levels of academic achievement and functional performance.</li> </ul>	<div data-bbox="656 831 1084 1724"> <p><input type="checkbox"/> <b>NO</b></p> <p>Mark <b>NO</b> if there is evidence that <b>any</b> of the following are true:</p> <ul style="list-style-type: none"> <li>• the accommodations and modifications were <b>not</b> reviewed annually;</li> <li>• the accommodations and modifications are present, but they are <b>not</b> based on the needs of the student and <b>do not</b> align with the student's present levels of academic achievement and functional performance;</li> <li>• the IEP team <b>did not</b> consider accommodations and modifications for this student.</li> </ul> </div> <div data-bbox="1097 831 1421 1465"> <p><input type="checkbox"/> <b>NOT APPLICABLE</b></p> <p>Mark <b>N/A</b> if the evidence indicates the IEP team considered the need for accommodations and modifications at least annually, and determined they are not needed at this time based on the student's needs as identified in the present levels of academic achievement and functional performance.</p> </div>

**RECORD REVIEW ITEM: LRE-4 - 34 CFR § 300.324(a)(2)(i-v)**

Record Review Item	Potential Documentation
<p data-bbox="203 338 557 373"><b>Special Factors Addressed:</b></p> <p data-bbox="203 394 716 464">The IEP team considered special factors including:</p> <ul data-bbox="253 489 805 1808" style="list-style-type: none"><li data-bbox="253 489 805 674">• the use of positive behavioral interventions and supports, and other strategies, to address the behavior of a student whose behavior impedes their learning or the learning of others;</li><li data-bbox="253 684 805 793">• the language needs of a child with limited English proficiency, as those needs relate to the child's IEP;</li><li data-bbox="253 804 805 1220">• the use of Braille in the case of a child who is blind or visually impaired unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child;</li><li data-bbox="253 1230 805 1724">• the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and</li><li data-bbox="253 1734 805 1808">• whether the child needs assistive technology devices and services.</li></ul>	<ul data-bbox="886 327 1382 716" style="list-style-type: none"><li data-bbox="886 327 1382 436">• IEP – Present levels of academic achievement and functional performance</li><li data-bbox="886 447 1382 478">• IEP – Special factors</li><li data-bbox="886 489 1382 520">• IEP – Service summary</li><li data-bbox="886 531 1382 562">• Meeting notes</li><li data-bbox="886 573 1382 674">• Functional Behavioral Assessment/Behavior Intervention Plan</li><li data-bbox="886 684 1382 716">• Evaluation reports</li></ul>

### Evidence of Compliance

☐ **YES**

Mark **YES** if there is evidence that **all** the following are true:

- considered the existence of special factors;
- that special factors apply to this student; **and**
- appropriately addressed the applicable special factors in the student's IEP.

☐ **NO**

Mark **NO** if there is evidence that any of the following are true:

- the IEP team did **not** consider one or more required special factors;
- the IEP team considered all required special factors, determined that one or more special factors applied to this student, **and did not** appropriately address the applicable special factors in the student's IEP.

☐ **NOT APPLICABLE**

Mark **N/A** if the evidence indicates the IEP team considered the existence of special factors and determined the special factors do not apply for this student (e.g., addressed each special factor by indicating "no" on all), and the record demonstrates that the decision was based on the needs of the student and aligns with the student's present levels of academic achievement and functional performance.



**RECORD REVIEW ITEM: LRE-5 - 34 CFR § 300.116 & 300.320(a)(5)**

Record Review Item	Potential Documentation
<p><b>Placement in Least Restrictive Environment:</b></p> <p>The placement determination documents that the student with a disability was removed from the regular educational environment only if the nature or severity of the disability was such that education in regular classes with the use of supplementary aids and services could not be achieved satisfactorily including documentation of the following elements:</p> <ul style="list-style-type: none"><li>• clearly identifies the selected and/or rejected placement(s), including consideration of each lesser restrictive placements than the one selected;</li><li>• the placement options included the consideration of meeting the student’s needs in the general education classroom;</li><li>• the use of supplementary aids and services to maintain the student in a lesser restrictive environment;</li><li>• a justification is given for the decision to educate a child in a more restrictive environment; and</li><li>• the potential harmful effects of rejected and selected placement(s) on the student and whether it would impede the ability of the student or other children to learn.</li></ul>	<ul style="list-style-type: none"><li>• Special Education Placement Determination</li><li>• Nonparticipation justification</li><li>• Prior Written Notice</li><li>• IEP – Present levels of academic achievement and functional performance</li><li>• IEP – Service summary</li><li>• Evaluation reports</li><li>• Meeting notes</li></ul>
<b>Evidence of Compliance</b>	
<p><input type="checkbox"/> <b>YES</b></p> <p>Mark <b>YES</b> if there is evidence that either of the following are true (must meet all criteria under <b>A or B</b> to mark “yes”):</p>	<p><input type="checkbox"/> <b>NO</b></p> <p>Mark <b>NO</b> if there is evidence that any of the following are true:</p>

<p>A. The student is educated or served in the general education setting, <b>OR</b></p> <p>B. If the student is not educated or served in general education, the IEP includes justification as to why the student's placement is not the general education classroom <b>and</b> there is evidence of <b>all</b> the following:</p> <ul style="list-style-type: none"> <li>• the placement is based on the needs of the student;</li> <li>• placement documentation reflects that the team has given consideration to meeting the student's needs in the general education classroom;</li> <li>• the placement options considered to maintain the student in a less restrictive option identify the specific supplementary aids and services for each option;</li> <li>• if the nature or severity of the disability is such that education in general education classes, even with the use of supplementary aids and services, cannot be achieved satisfactorily, a justification is given for the decision; <b>and</b></li> <li>• describes potential harmful effects to the student or others, if applicable.</li> </ul>	<ul style="list-style-type: none"> <li>• the placement is <b>not</b> based on the student's needs;</li> <li>• placement documentation <b>does not</b> reflect that the team has given consideration to meeting the student's needs in the general education classroom;</li> <li>• the placement documentation <b>does not</b> reflect consideration or the provision of supplementary aids and services in the general education classroom individualized to each placement option considered;</li> <li>• the placement options considered to maintain the student in a less restrictive option <b>do not</b> identify the specific supplementary aids and services for each option (e.g. indicates "See IEP accommodations." for all options considered when student not placed in 100% general education);</li> <li>• the student is not educated or served in general education, <b>but</b> the IEP <b>does not</b> include justification as to why the student's placement is not the general education classroom;</li> <li>• <b>does not</b> describe potential harmful effects to the student or others, if applicable.</li> </ul>
--	--

**RECORD REVIEW ITEM: LRE-6 - 34 CFR § 300.116(e)**

Record Review Item		Potential Documentation
<b>Removal Not Solely Due to Modifications:</b> The student was not removed from education in age-appropriate general education classrooms solely because of needed modifications in the general education curriculum.		<ul style="list-style-type: none"><li>• IEP – Present levels of academic achievement and functional performance</li><li>• IEP – Service summary</li><li>• Student schedule</li><li>• Service trackers/logs</li><li>• Observation report</li></ul>
<b>Evidence of Compliance</b>		
<input type="checkbox"/> <b>YES</b> Mark <b>YES</b> if the evidence indicates the student was <b>not</b> removed from general education classrooms just because the curriculum needed to be modified.	<input type="checkbox"/> <b>NO</b> Mark <b>NO</b> if the evidence indicates the student <b>was</b> removed from general education classrooms with age-appropriate peers <b>only</b> due to the need for curricular modifications.	<input type="checkbox"/> <b>NOT APPLICABLE</b> Mark <b>N/A</b> if the evidence indicates the student was not removed from classrooms with age-appropriate peers or does not require modifications.

**RECORD REVIEW ITEM: LRE-7 - 34 CFR § 300.320(a)(4)(i-iii)**

Record Review Item	Potential Documentation
<p><b>Participation in Non-academic and Extracurricular Services and Activities:</b></p> <p>The student participates with nondisabled peers in non-academic and extracurricular services and activities (including lunch, recess, athletics, clubs, afterschool-sponsored activities/events, etc.) to the maximum extent appropriate, with the use of supplementary aids and services as determined by the student's IEP Team to be appropriate and necessary.</p>	<ul style="list-style-type: none"><li>• IEP – Present levels of academic achievement and functional performance</li><li>• IEP – Service summary</li><li>• IEP – Nonparticipation justification</li><li>• Student schedule</li><li>• Observation notes or report</li><li>• Meeting notes</li></ul>
<b>Evidence of Compliance</b>	
<p><input type="checkbox"/> <b>YES</b></p> <p>Mark <b>YES</b> if the evidence indicates the student is included in non-academic and extracurricular services and activities and has access to aids and services during extracurriculars as determined necessary by the IEP team.</p>	<p><input type="checkbox"/> <b>NO</b></p> <p>Mark <b>NO</b> if there is evidence the student is excluded from non-academic and extracurricular services and activities <b>and</b> the team <b>did not</b> provide a rationale for this exclusion.</p>

**RECORD REVIEW ITEM: LRE-8 - 34 CFR § 300.116**

Record Review Item	Potential Documentation
<p><b>Placement Consistent with Individual Need:</b></p> <p>The selected placement is consistent with the level of services and supports detailed in the service summary and the non-participation justification statement.</p>	<ul style="list-style-type: none"><li>• IEP – Present levels of academic achievement and functional performance</li><li>• IEP – Service summary</li><li>• IEP – Nonparticipation justification</li><li>• Placement determination</li></ul>
<b>Evidence of Compliance</b>	
<p><input type="checkbox"/> <b>YES</b></p> <p>Mark <b>YES</b> if the evidence indicates the selected placement is consistent with the level of services and supports described in the IEP service summary, non-participation justification statement, other section of the IEP, or special education placement determination.</p>	<p><input type="checkbox"/> <b>NO</b></p> <p>Mark <b>NO</b> if the evidence indicates the selected placement is <b>not</b> consistent with the level of services and supports described in the IEP service summary, non-participation justification statement, other section of the IEP, or special education placement determination.</p>

*Individual Student File Review Form*

Student Information				
Student Name:				
Student SSID:				
Student DOB:				
Student Disability:				
Grade:				
IEP Start Date:				
IEP End Date:				
LRE				
LRE 1	Placement Determined by Knowledgeable Group	Y	N	
LRE 2	Placement Decision	Y	N	
LRE 3	Accommodations and Modifications Included and Aligned with Summary of Present Levels	Y	N	N/A
LRE 4	Special Factors Addressed	Y	N	N/A
LRE 5	Placement in Least Restrictive Environment	Y	N	
LRE 6	Removal Not Solely Due to Modifications	Y	N	N/A
LRE 7	Participation in Non-academic and Extracurricular Services and Activities	Y	N	
LRE 8	Placement Consistent with Individual Need	Y	N	
Comments				

*LEAST RESTRICTIVE ENVIRONMENT (LRE) – Summary Sheet*

INFORMATION	
LEA Name:	Required Sample Size:

Total number of student files reviewed is indicated below.

Elementary School Students	Middle School Students	High School Students	Out of District Placements	Grand Record Total

List SSIDs of the targeted sample of student files. Enter “Yes” if evidence was found. Enter “No” if evidence was not found. Enter “N/A” if the item is not applicable to the selected student. No item may be left blank.

SSID	LRE-1	LRE-2	LRE-3	LRE-4	LRE-5	LRE-6	LRE-7	LRE-8

Plan of Correction – Identify what will be done and when to correct any individual or systemic noncompliance for each item where the LEA found noncompliance during the district review process.

--

*LRE Focus Group Questions:*

LRE	School/District Staff	Parents	Students	Community
• What story does our district's LRE data tell?	X	X	X	X
• What are our district's/programs' inclusion success stories?	X	X	X	X
• What patterns exist within our student population (e.g., race, ethnicity, disability, gender, and grade), school sites and IEP team decisions regarding LRE?	X	X	X	X
• How well are student and parent perspectives included in LRE decisions?	X	X	X	X
• How does our district's staffing and staff practices relate to our LRE data?	X	X	X	X
• What investments have we made, or should we consider making to support our district's implementation of inclusive practices?	X	X	X	
• What are the systemic changes, personnel growth and professional learning, and supports for students needed to increase inclusion in our system (e.g., UDL)?	X	X	X	X