

Oregon's System of General Supervision

Priority Area 1: Least Restrictive Environment (LRE)



Introduction

Under 34 CFR § 300.114, disabled students and students experiencing disabilities must be educated with children who do not experience disabilities “to the maximum extent appropriate.” 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 Local Educational Agencies (LEAs) to ensure that a full continuum of alternative placements is available to meet the needs of students experiencing disabilities and disabled students. The IEP team determines the most appropriate educational placement in the Least Restrictive Environment (LRE) that meets each student’s unique needs. Placement decisions must be individualized, based on the student’s IEP, and not made solely on factors such as disability category, availability of services, or administrative convenience.

This priority area examines whether placement decisions are made in accordance with IDEA requirements and whether students are receiving appropriate supports to facilitate their participation in the general education environment. The review evaluates both the procedural aspects of placement determination and the substantive implementation of LRE principles.

When using this protocol, LEAs will examine critical requirements related to LRE implementation. If noncompliance is found, LEAs must correct findings as soon as possible, prioritizing corrections for students with identified noncompliance. In all cases, noncompliance must be corrected within one year of the Oregon Department of Education’s (ODE) written notification. When noncompliance could result in denial of 10 or more instructional days, correction must occur within 60 days of ODE’s notification.

Contents

Introduction	1
Contents.....	2
LRE-1 – Placement Determined by Knowledgeable Group.....	3
LRE-2 – Placement Decision	4
LRE-3 – Accommodations and Modifications Included and Aligned with Summary of Present Levels.....	5
LRE-4 – Placement in LRE	6
LRE-5 – Removal Not Solely Due to Modifications	8
LRE-6 – Participation in Non-Academic and Extracurricular Services and Activities	9
LRE-7 – Placement Consistent with Individual Need	10
LRE Summary Sheet	11
LRE Focus Group Questions.....	12

LRE-1 – Placement Determined by Knowledgeable Group

Record Review Item

The placement decision was made by a group of individuals, including the parents and/or legal guardians and other individuals knowledgeable about:

- The student;
- The meaning of evaluation data; and
- Placement options.

Related Authorities

Federal: 34 CFR § 300.116(a)

State: OAR 581-015-2250(1)(a)

Potential Documentation

- Special Education Placement Determination
- Prior Written Notice
- Notice of Team Meeting, showing parent and/or legal guardian invitation
- Records of LEA attempts to secure parent and/or legal guardian attendance at IEP meeting where placement was determined
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence that any of the following are true:

- The placement decision was made by a knowledgeable group, including the parent and/or legal guardian, with individuals clearly identified and documented as having knowledge about the student, evaluation data, and placement options; or
- 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 and/or legal guardian was invited to participate in the meeting, but did not attend, and this is clearly documented.

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

- The placement decision was not made by a knowledgeable group; or
- The parent and/or legal guardian was not invited to the meeting.

LRE-2 – Placement Decision

Record Review Item

The file's documentation demonstrates that the student's placement was:

- Determined annually, at a minimum;
- Based on the student's needs as indicated in the IEP;
- As close as possible to the student's home; **and**
- Resulted in the student being educated in the school that they would attend if nondisabled unless the IEP requires another arrangement.

Related Authorities

Federal: 34 CFR § 300.116(b); 34 CFR § 300.116(c)

State: OAR 581-015-2250(1)(c-e); OAR 581-015-2250(3)

Potential Documentation

- Meeting Notes
- IEP – Present Levels of Academic Achievement and Functional Performance, Specially Designed Instruction, Related Services and/or Special Factors, Nonparticipation Justification, Demographics
- Artifact from Student Information System showing resident school and attending school
- Documentation of parent and/or legal guardian choice if the student is not attending their resident school due to parent and/or legal guardian choice
- Special Education Placement Determination

Evidence of Compliance

Mark YES if the evidence indicates that placement decisions are made in conformity with all the LRE provisions below:

- Determined annually, at a minimum;
- Based on the student's needs as indicated in the IEP;
- As close as possible to the student's home; and
- Resulted in the student being educated in the school that they would attend if nondisabled unless the IEP requires another arrangement.

Mark NO if the evidence indicates that either of the following are true:

- Placement decisions are not made in conformity with any of the required LRE provisions as listed above.
- Placement decision is not supported by information within the student's IEP.

LRE-3 – Accommodations and Modifications Included and Aligned with Summary of Present Levels

Record Review Item

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.

Related Authorities

Federal: 34 CFR § 300.320(a)(4)

State: OAR 581-015-2200(1)(d)(A-C)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- Evaluation Results
- Meeting Notes
- Progress Reports

Evidence of Compliance

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

- The accommodations and modifications were reviewed annually; and
- 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.

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

- The accommodations and modifications were not reviewed annually;
- The accommodations and modifications are present, but they are not based on the needs of the student and do not align with the student's present levels of academic achievement and functional performance; or
- The IEP team did not consider accommodations and modifications for this student.

Mark N/A 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.

LRE-4 – Placement in LRE

Record Review Item

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:

- The selected and/or rejected placement(s), including consideration of each lesser restrictive placement than the one selected;
- The placement options included the consideration of meeting the student's needs in the general education classroom;
- The use of supplementary aids and services to maintain the student in a lesser restrictive environment;
- A justification is given for the decision to educate a child in a more restrictive environment; **and**
- 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.

Related Authorities

Federal: 34 CFR § 300.114; 34 CFR § 300.116; 34 CFR § 300.320(a)(5)

State: OAR 581-015-2250

Potential Documentation

- Special Education Placement Determination
- Nonparticipation Justification
- Prior Written Notice
- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- Evaluation Reports
- Meeting Notes

Evidence of Compliance

Mark YES if there is evidence that either of the following are true (must meet all criteria under A or B to mark "yes"):

- A. The student is educated or served in the general education setting, OR
- 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 and there is evidence of all the following:
 - The placement is based on the needs of the student;
 - Placement documentation reflects that the team has given consideration to meeting the student's needs in the general education classroom;
 - The placement options considered to maintain the student in a less restrictive option identify the specific supplementary aids and services for each option;
 - 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; and
 - Placement documentation describes potential harmful effects to the student or others, if applicable.

Mark NO if the student is not educated or served in the general education setting AND any of the above criteria are not true.

Mark N/A if the student is not removed from the general education setting.

LRE-5 – Removal Not Solely Due to Modifications

Record Review Item

The student was not removed from an age-appropriate general education classroom solely because of needed modifications in the general education curriculum.

Related Authorities

Federal: 34 CFR § 300.116(e)

State: OAR 581-015-2250(5)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- Student schedule
- Service trackers/logs
- Observation report

Evidence of Compliance

Mark YES if the evidence indicates the student was not removed from general education classrooms just because the curriculum needed to be modified.

Mark NO if the evidence indicates the student was removed from general education classrooms with age-appropriate peers only due to the need for curricular modifications.

Mark N/A if the evidence indicates the student was not removed from classrooms with age-appropriate peers or does not require modifications.

LRE-6 – Participation in Non-Academic and Extracurricular Services and Activities

Record Review Item

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.

Related Authorities

Federal: 34 CFR § 300.117; 34 CFR § 300.320(a)(4)(ii-iii)

State: OAR 581-015-2070(1); OAR 581-015-2200(1)(d)(B-C)

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- IEP – Nonparticipation Justification
- Meeting Notes
- Student schedule
- Observation notes or report

Evidence of Compliance

Mark YES 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.

Mark NO if there is evidence the student is excluded from non-academic and extracurricular services and activities and the team did not provide a rationale for this exclusion.

LRE-7 – Placement Consistent with Individual Need

Record Review Item

The selected placement is consistent with the level of services and supports detailed in the service summary and the non-participation justification statement.

Related Authorities

Federal: 34 CFR § 300.116

State: OAR 581-015-2250

Potential Documentation

- IEP – Present Levels of Academic Achievement and Functional Performance
- IEP – Service Summary
- IEP – Nonparticipation Justification
- Special Education Placement Determination

Evidence of Compliance

Mark YES 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.

Mark NO if the evidence indicates the selected placement is not 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.

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 Total of Records

List Secure Student Identifiers (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

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

School/District Staff

- What supports and professional development help general education teachers successfully include disabled students and students experiencing disabilities?
- How do you determine when a more restrictive placement is truly necessary?
- What successes have you seen with inclusive practices, and how can these be replicated?
- What barriers prevent greater inclusive practices, and how are you addressing them?
- How do you ensure placement decisions are based on individual needs rather than disability labels?
- How do you support students with more significant support needs in less restrictive settings?

Parents and/or Legal Guardians

- How was your child's placement decision explained to you, including options considered?
- What supports would help your child be more successful in general education settings?
- Do you feel your input about placement was genuinely considered?
- What concerns do you have about your child's current placement?
- How well does your child's placement support both academic and social development?
- What would increase your confidence in inclusive placement options?

Students

- How do you feel about the classes you're in and who you learn with?
- What helps you succeed in classes with all different kinds of students?
- Do you feel included in regular school activities and friendships?
- What's hard about being in different classes than some other kids?
- What would help you learn better with all students?
- How do you feel about the support you get in your classes?

Community

- How can community organizations support inclusive practices in schools?
- What community activities could reinforce inclusion beyond school hours?
- How do segregated placements impact students' community participation?
- What role can community members play in supporting inclusive education?
- How can we address community attitudes that may be a barrier to inclusion?
- What partnerships would strengthen schools' capacity for inclusion?