



Least Restrictive Environment (LRE)

What is LRE?

- Under IDEA, students with disabilities must be educated with their non-disabled peers to the maximum extent appropriate. Removal from general education occurs only when the nature or severity of a disability makes satisfactory progress impossible, even with supports.

Core Requirements for IEPs

- Present Levels: Academic and functional performance, including how the disability impacts progress in the general curriculum.
- Annual Goals: Measurable, academic and functional.
- Supports & Services: Special education, related services, program modifications, and supplementary aids that enable progress in the general education curriculum.

General Education Curriculum

The same curriculum as for nondisabled peers, aligned to **state grade-level standards**.

Specially Designed Instruction (SDI)

Adapting content, methodology, or delivery to:

- Address the unique needs of the child, and
- Ensure access to the general curriculum.

Collaboration & Roles

- **IEP Team:** Must include parents, general and special education teachers, LEA representative, and others with relevant expertise.
- **General Education Teachers:** Participate in IEP development, know responsibilities, and implement accommodations.
- **Paraprofessionals:** Trained and supervised to support inclusive practices in academics, transitions, and social participation.

Guiding Principles of Inclusive Practices

- Foster belonging and engagement.
- Hold high expectations for every student.
- Provide meaningful access to grade-level standards.
- Use Universal Design for Learning (UDL) to increase access and support executive functioning.

Implementation at Local & School Levels

- Revise policies and procedures for inclusivity.
- Provide sustained professional development.
- Ensure collaboration time between general and special educators.
- Allocate resources and use data to guide inclusive practices.

Key Cases on LRE

Sacramento City Unified Sch. Dist., Bd. of Educ. v. Rachel H. by & Through Holland, 14 F.3d 1398 (9th Cir. 1994).

This case involved a nine-year old girl with moderate intellectual disability and an IQ of 44. The parents requested the school place Rachel in a general education classroom full-time. The school district rejected this request and instead proposed a placement that would have Rachel in general education classrooms for non-academic classes such as art, music, lunch, etc. and in special education classrooms for academic subjects, which effectively offered a 50/50 split between general education and special education classrooms. In deciding whether or not this IEP met the LRE mandate, the United States Court of Appeals for the 9th Circuit adopted a four-part test for LRE, finding that the IEP was not the LRE for Rachel. First, the Court evaluated the academic benefit Rachel would receive in a general education classroom. Second, the Court considered the non-academic benefits available to the child. Third, the Court evaluated the effect of the child's presence on the teacher and other students in a general education classroom. Lastly, the court considered whether educating the child in a general education classroom would be significantly more costly than educating her under the District's proposed placement, and found that it would not.

D.R. v. Redondo Beach Unified School District, 56 F.4th 636 (9th Cir. 2022).

This case involved a twelve-year old student with intellectual disabilities and autism. Student was placed in a general education classroom with a 1:1 aide for 75% of the school day. In the classroom, Student used heavily modified curriculum with the aide. During this placement Student was able to meet 4 of his 6 academic IEP goals. Despite the progress on these goals, the school district proposed a new placement wherein Student would be placed in general education classes 56% of the time and in special education classes the remaining 44%. Applying the four-part test adopted in the *Holland* case, the United States Court of Appeals for the 9th Circuit overturned the lower court's ruling in favor of the school district, and instead found that the IEP did not satisfy the IDEA's mandate for LRE.