

# **Understanding and Leading for LRE**

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# Purpose of the Session

**The purpose of this session is to provide specific information about least restrictive environment (LRE) in early childhood settings including the definition of quality LRE, the barriers to achieving quality LRE, and the evidence-based practices necessary to support quality LRE as a practitioner and leader from any seat in the field of early childhood.**

# LRE as the Legal Foundations for Inclusion

Individuals with Disabilities Education Act (IDEA) and  
Least Restrictive Environment (LRE)  
And Inclusion

### **Least Restrictive Environment**

#### **§ 300.114 LRE requirements.**

(a) *General.* (1) Except as provided in § 300.324(d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §§ 300.115 through 300.120.

(2) Each public agency must ensure that—

- (i) 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; and
- (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

#### **§ 300.42 Supplementary aids and services.**

*Supplementary aids and services* means aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with §§ 300.114 through 300.116.

#### **§ 300.115 Continuum of alternative placements.**

(a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

(b) The continuum required in paragraph (a) of this section must—

- (1) Include the alternative placements listed in the definition of special education under § 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
- (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

#### **§ 300.116 Placements.**

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 the 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 LRE provisions of this subpart, including §§ 300.114 through 300.118;

(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 regular classrooms solely because of needed modifications in the general education curriculum.

#### **§ 300.119 Technical assistance and training activities.**

Each SEA must carry out activities to ensure that teachers and administrators in all public agencies—

- (a) Are fully informed about their responsibilities for implementing § 300.114; and
- (b) Are provided with technical assistance and training necessary to assist them in this effort.

#### **§ 300.208 Permissive use of funds.**

(a) *Uses.* Notwithstanding §§ 300.202, 300.203(a), and 300.162(b), funds provided to an LEA under Part B of the Act may be used for the following activities:

- (1) *Services and aids that also benefit nondisabled children.* For the costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to a child with a disability in accordance with the IEP of the child, even if one or more nondisabled children benefit from these services.

# Least Restrictive Environment

Federal law provides that each local school district must ensure that:

. . . 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 not disabled,

and special classes, separate schooling or other removal of children with disabilities from the regular educational environment

occurs only

when the nature or severity of the disability of a child is such that

education in regular classes

with the use of supplementary aids and services

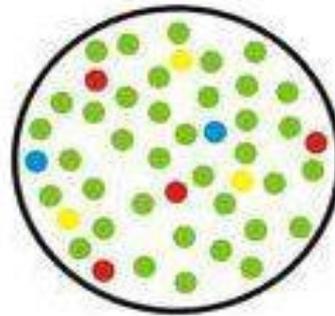
cannot be achieved satisfactorily.

[20 U.S.C. Sec. 1412(a)(5)(A); 34 Code of Federal Regulations (C.F.R.) Sec. 300.114(a)(2); Cal. Ed. Code Sec. 56342(b).]

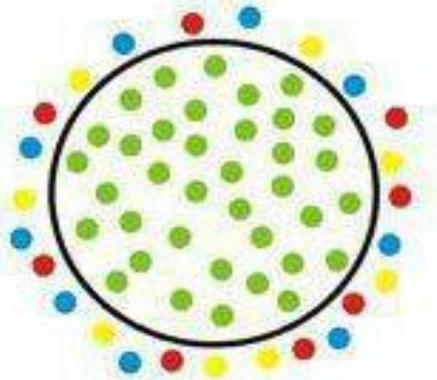
# What is LRE?

- In basic terms, LRE refers to the setting where a child with a disability can receive an appropriate education designed to meet his or her educational needs, alongside peers without disabilities to the maximum extent appropriate.
- The LRE requirements in §§300.114 through 300.117 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 has been a part of federal special education law from its inception in 1975. LRE's basic statutory provision has remained intact for the past 30 years.

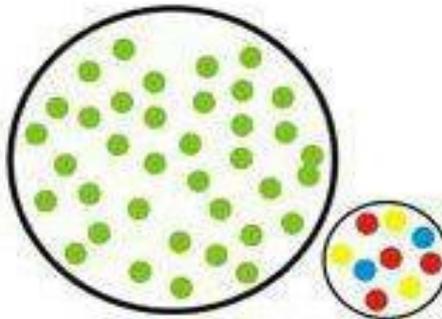
Draw a picture of LRE.



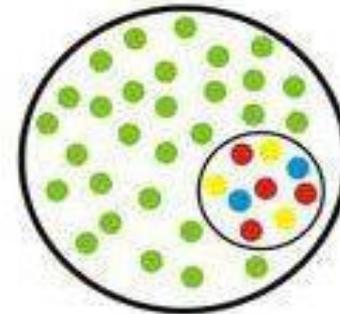
**Inclusion**



**Exclusion**



**Segregation**



**Integration**

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**The core of IDEA's LRE provisions contains many key terms and phrases that, together, reveal the law's strong preference for where children with disabilities are to be educated: the regular educational environment. Consider the specific wording and phrases in the provision:**

- Special classes
- Separate schooling
- Other removal from the regular educational environment
- ***Occurs only if...***

Since its earliest days, the law has displayed a strong preference for children with disabilities to be educated alongside their peers without disabilities, to the maximum extent appropriate. It recognizes that, in many cases,

[\*\*\*supplementary aids and services\*\*\* must be provided to a child with a disability to enable him or her to be educated in the general education classroom. Supplementary aids and services can play a pivotal role in supporting the education of individual children with disabilities in the regular educational environment.](#)

Simply put, removal of a child with disabilities from the regular education class may occur ***only if*** the child cannot be satisfactorily educated in the regular educational environment *with* the use of supplementary aids and services.

# LRE- Least Restrictive Environment History

- PL 99-457 (1986)
  - Part B and Part H (now Part C)
- Education of All Handicapped Children Act (EHA) in 1990 became Individuals with Disabilities Education Act (IDEA)
- Professional Organization- Division for Early Childhood

It is not a suggestion-  
But, what are the barriers to LRE?

- Professional development/knowledge
- Attitudes and beliefs
- Resources/funding
- Others?

# Guralnick and Bruder, 2016

... The result has been a reconceptualization and acceptance of the principles of inclusion and participation of individuals with disabilities into all aspects of society, but most especially in educational settings.

This has been formalized most recently by the U.S. government through a policy brief that describes EC inclusion as a core value and a prominent feature of the early care and education system for all young children.

# Inclusion Today

What is the definition of quality inclusion?

DEC/NAEYC Inclusion Statement:

*“Early childhood inclusion embodies the values, policies, and practices that support the right of every infant and young child and his or her family, regardless of ability, to participate in a broad range of activities and contexts as full members of families, communities, and society. The desired results of inclusive experiences for children with and without disabilities and their families include a sense of belonging and membership, positive social relationships and friendships, and development and learning to reach their full potential. The defining features of inclusion that can be used to identify high quality early childhood programs and services are access, participation, and supports.” (DEC/NAEYC, 2009, p. 2)*

DEC/NAEYC. (2009). Early childhood inclusion: A joint position statement of the Division for Early Childhood (DEC) and the National Association for the Education of Young Children (NAEYC).

# Inclusion

- Access
  - Wide range of learning opportunities, activities, settings, and environments
  - Effective learning environments
  - Typical routines, activities, settings, general education curricula their typically developing peers are educated in
  - Multiple, varied learning opportunities
- Participation
  - Active, independent participation
  - Range of instructional practices
  - Engage, participate, and *learn*
  - Individualized
- Supports
  - Infrastructure to provide effective programs
  - PD, follow-up assistance, support for collaborative teaming
  - Policies promoting quality inclusion with incentives for quality inclusion

# Effective Components of Inclusion

1. Intentional, sufficient, and supported interaction between typically developing peers and vice versa
2. Specialized, individualized supports
3. Family involvement
4. Integrated, interdisciplinary services and collaborative teaming
5. Focus on critical sociological outcomes
6. Effective, on-going professional development
7. Ongoing program evaluation

# Research Foundations for Inclusion

What does the research base say about quality preschool inclusion?

- For children with special needs and their families
- For children without special needs and their families
- For communities

# Research Foundations for Inclusion

- No study has found segregated settings to be superior to inclusive settings
- No evidence exists that certain children are poor candidates for inclusion
- Children with disabilities are provided with: peer models, naturalistic experiences, and opportunities to develop friendships
- Typically developing peers view children with disabilities more positively
- Inclusion can be a more economically sound choice

# OSEP

## Preschool LRE Indicator 6

Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or facility

# Purposes of Inclusion/LRE Classroom and Child Level

- Access
- Accommodations and Feasibility
- Developmental Progress
- Social Integration

• Guralnick & Bruder, 2016

# Classroom How To's of LRE

Adapted from Horn, Palmer, Butera &  
Lieber, 2016

*Six Steps to Inclusive Preschool  
Curriculum*

# How #1: Curricular Foundations

- Organization of the environment
- Relevance
- Content matter
- Coherence
- Integration
- Progress Monitoring

# How #2- Universal Design

- Differentiation
- Individualization
- Interest
- Representation
- Engagement
- Expression
- Teaming/Collaboration

# How #3- Family Partnerships

- Connection
- Relationship
- Values
- Identities
- Dispositions and skills for listening
- Support and encouragement

# Classroom How To's

- Name 3 curricular foundations that could support LRE/Inclusion.
- Identify 3 principles of universal design that could support LRE/Inclusion.
- Discuss 3 ways that family partnerships can build LRE/Inclusion.

# Individual Children How To's: Guiding Principles for Promoting High-Quality Preschool Inclusion

The following three principles should be used when establishing a shared vision and developing your goals to promote high-quality preschool inclusion:

1. LRE and a **full range** of options
2. **High quality** preschool inclusion
3. **Individualized** placement decisions

1. Parents and professionals should be able to make individual placement decisions based on LRE and a ***full range*** of placement options and a preference for the regular education setting.

# LRE and Full Range of Placement Options

- The IEP team, including parents and professionals, must ensure that individual placement decisions are in the LRE within a full range of placement options and per IDEA with a preference for the regular education setting.
- The first step in establishing a range of options is to take inventory of the resources and programs in your school, district, and community, including any program the child with a disability is already attending, such as a child care program.
- Districts that do not have inclusive preschools must explore other inclusion options, such as those described previously.

2. All placement options should ***reflect high quality*** to result in the delivery of appropriate and effective special education and related services.

# Ensure Program Quality

- Each school and district needs to establish policies and procedures that support preschool inclusion and ensure that the special education services and classroom environment reflect quality and promote the child's learning and development.
- There are multiple procedures and measures for assessing quality of preschool inclusion.
- The preschool inclusion team needs to decide which measure is most appropriate for the program and how to evaluate and use the data. These measures should be used to complement the state's QRIS.

3. Placements decisions should be made based on the ***individual needs*** of the child and a consideration of family preferences.

# Individual Placement Needs

- Program policies should support individual placement decisions
- Programs should consider family preferences.

# Sample Team Process for Making Individualized Inclusive Preschool Placements

1. Collaborate with the family to develop the child's goals and objectives.
2. Parents should be asked to describe what they would want from their child's preschool program.
3. If the child is currently in an inclusive setting, consider if it is of sufficient quality that the child can acquire his or her goals and objectives in this setting with special education supports and services.
4. If it is unlikely that the child will acquire his or her goals and objectives in the current setting without modifications or accommodations, identify the needed modifications or accommodations.

# Sample Team Process for Making Individualized Inclusive Preschool Placements *(continued)*

## **Ensure the IDEA Requirements are Followed:**

- *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; and Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. § 300.114*

# Sample Team Process for Making Individualized Inclusive Preschool Placements (continued)

- *Supplementary aids and services means aids, services, and other supports that are provided in regular education classes, other education-related settings, and in extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate. § 300.42*
- *Teachers and administrators are provided with technical assistance and training necessary to assist them in this effort. § 300.119*

# Pair and Share

1. Child's goals and objectives (as defined by the family).
2. Describe the perfect preschool program for the child.
3. What is the inclusive setting that is the natural environment? Will supports be needed?
4. What modifications and accommodations will be necessary to support the child?
5. What technical assistance might be necessary to make this happen?

Leading From Any Seat

# LRE Requirement: Leadership Capacity

- Learning together; constructing meaning and building collective knowledge.
- Opportunities surface to mediate perceptions, values, beliefs, information, and assumptions through discourse.
- Ideas are generated and reflected on to make sense of the work through shared beliefs and information.

Lambert, L. (1998). *Building leadership capacity in schools*.  
Alexandria, VA: Association for Supervision and  
Curriculum Development

# A Call to Action and Action Steps

DEC Leadership Statement 2016

# Leadership and The Call to Action

- DEC believes leadership in EI/ECSE is a *process that involves mutual influence and shared responsibility.*

# Characteristic #1

- Leadership “does not happen alone, but actively involves the support of others” (Armstrong, Kinney, & Clayton, 2009, p. 15).

# Characteristic #2

- DEC believes leadership is neither a role nor is it synonymous with a person's official title, formal authority within an organization, job description, or assigned responsibilities.

# Characteristic #3

- Leadership is not the sole responsibility of one individual, but rather it “lies alike with those who do and do not have formal positions of power and authority” (Crosby & Bryson, 2005, p. 29)

# State Recommendations

- Task Force
- Ensure State Policies Support
- Set Goals and Track Data
- ??? Resource Allocation
- QRIS Frameworks are Inclusive
- Accountability and Incentive Structures
- Coordinated PD Systems
- Statewide Social-Emotional and Behavioral Health Systems
- AWARENESS!

# Local Recommendations

- Families
- IEP's and IFSP's
- Assess and Improve Quality Inclusion
- Resource Allocations
- PD- Principal/Directors, Teachers/Providers, EI and ECSE Service Personnel
- Staffing and Collaboration
- Specialized Supports
- Collaborations with Community Partners

# Initial Steps...

- Spreading Awareness
- Action on Monday Morning... Not August
- Allies in Collaboration
- Building Support with Families
- Engaging the Community

# Pair and Share

- How can you spread awareness? What materials will you use to support?
- What will you do when you return to work?
- Who are the people who might help you? What bridges do you need to build?
- How can families support the process?
- How can the community support the work?

# Questions and Comments

Thank you.