



Question: How do you decide where a student's IEP will be implemented (placement)?

Answer: Placement decisions are made by a student's IEP team after the IEP has been developed. The term "placement" in special education does not necessarily mean the precise physical building or location where your student will be educated. Rather, a student's "placement" refers to the range or continuum of educational settings available in the district to implement her/his IEP and the overall amount of time s/he will spend in the general education setting.

One of the defining principles of special education law is that students with disabilities should be included in the general education program and with nondisabled peers to the maximum extent possible, and that removal from the general education environment only occurs if the nature or severity of the disability is such that education in the general education classes with the use of supplementary aides and services cannot be achieved satisfactorily. This is the Least Restrictive Environment (LRE) and is determined by the IEP team.

Under 34 CFR 300.114 (a)(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.





The LRE is unique to each student's individual needs. Thus, the selection of an appropriate placement for each student must take into account the following four factors:

1. The content of your student's IEP;
2. The LRE requirements;
3. The likelihood that the placement option will provide a reasonably high probability of assisting your student to attain her/his annual goals; and
4. The consideration of any potentially harmful effects that the placement option might have on your student or on the quality of services that your student needs.

What is least restrictive for each child is based on that child's unique needs. This means that the school system cannot use a "one size fits all" approach to educating children who have a disability. Decisions must be based on *individual needs as stated in the IEP*, and—

- may *not* be based on the child's disabling condition or label (such as placement in a special class for students with intellectual disabilities just because a child has cognitive impairments);
- may *not* be based on disability program categories (placement in an particular program for students with learning disabilities (LD) just because a child needs LD services); and
- may *not* be based on the location of staff, on the funds that are available, or on the convenience of the school district. (Rebhorn & Smith, 2008)

What is the range or continuum of placement options available for each student?

The continuum of placement options available includes, but is not limited to, general education classes, general education classes with support services and/or modifications, a combination of general education and special education classes, self-contained special education classes, placements outside of a school district, home instruction, and residential care or treatment facilities.





What if the district wants to send a student to a different school because the placement the IEP team is recommending is not offered at the neighborhood school?

School districts are not required to have a continuum available in every school building. A school district, for example, might have a self-contained setting or preschool services in some but not all of their school locations. You should review the placement decision with your student's IEP team to ensure that all four factors are being adequately considered.

Is it ever possible to suggest placing a student in a more restrictive environment?

Yes. After reviewing the four factors that go into making placement decisions, if it is believe that a student would receive a more appropriate education in a different educational setting, then an IEP team meeting can be held to discuss your student's IEP and consider the benefits of other possible placement options.

What can I do if I think my student's placement is not the LRE?

You can start by requesting an IEP team meeting to discuss the reasons why you believe the current placement is not the LRE or not the most appropriate setting for your student's IEP. If you are unable to resolve your differences with the district regarding your student's final placement decision, then you have the option of challenging the district's decision using one of the dispute resolution options available under special education law. Keep in mind, however, that if you are requesting that your student be placed in a private school or residential facility because you believe the district is unable to provide FAPE, then you must make that request through a due process hearing.

