

11 Myths About Placement in the Least Restrictive Environment

There is more to it ...

LRE is not simply a matter of keeping students in local schools. In order for an educational setting to be the least restrictive, appropriate placement, a student must have all necessary supports and services to enable him or her to learn and fully participate as a valued member of the school community.

IDEA requires that students with disabilities be educated in the least restrictive, appropriate setting. Recently, the rhetoric has reduced the term LRE to mean only “the regular class.” But the law does not say that placement must always be in ‘the regular class,’ in fact, it is careful not to.

The placement that is the LRE is different for each child. Here are some considerations:

- 1 LRE is not simply a matter of keeping students in local schools.** The least restrictive, appropriate placement for a student must have all necessary supports and services to enable him or her to learn and fully participate as a valued member of the school community. Without these supports, services, accommodations and modifications, students fail and regress, and other classmates suffer.
- 2 A Private School May Be The LRE.** In fact, a judge recently ruled that a private special education school was less restrictive than the local public school classroom because the student would be able to learn academic and social skills in a class with peers –not all by himself.
- 3 IDEA does not require every child to be placed in the regular class.** The regular education environment is not the appropriate placement for every child. IDEA requires all states to make available a continuum of alternative placements and a range of options – including private schools.
- 4 Placement must be individually determined.** A district cannot unilaterally decide to bring all students placed at ABC private school back to an in-district program, nor can they decide that all students with a particular disability must be educated in-district. IDEA requires that the placement decision for each child be made individually by the IEP team. Parents are part of the process. The Board of Education is not.
- 5 The State’s ‘benchmarks’ are NOT Federal requirements.** Some New Jersey educators believe – and are telling parents - they cannot place more than X% of students in out-of-district programs. This violates the law. In a letter to the New Jersey Department of Education, the U.S. Department of Education specifically says:

“IDEA does not prescribe the number or percentage of children who must be educated in any particular environment....”

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- 6 The County office provides information – they do not approve placements.** Child Study Teams are required to contact the County Office of Education when they are considering ANY out-of-district placement, public or private. Some have interpreted this rule incorrectly to mean that the County Office can approve or disapprove placements. In a recent memo, the Commissioner clarified that the role of the County Office is **only** to provide information about locally operated, in-district public school classes for the team to consider. The sole responsibility for making placement determinations rests with the local CST.
- 7 Separate is separate.** LRE does not consider whether a public school, a private school or a disability-only charter school operates the classroom. A separate county-based program is not less restrictive than a private school.
- 8 A classroom in a trailer does not make a child feel included.** Often, when students with disabilities are placed in public programs, they are relegated to self-contained classes in the basement, or in trailers behind the school. They are not part of the school community. Students feel more included and valued when they are truly part of the school community. In private schools, students have real opportunities to fully participate in all aspects of school life, from sports, clubs, plays and school government, to talent shows and the prom. They participate, not ‘assigned to a peer’ or as someone’s ‘buddy’, but as a person.
- 9 Paraprofessional support needs to be carefully considered.** When a child is placed in a regular education setting, the ‘solution’ is often to hire a paraprofessional. This is seen as a cost effective alternative to more intensive services or an out-of-district placement. But poorly trained paras can create dependence and can be socially stigmatizing. Many times, the para’s main job is to take the child out of the classroom when he or she is disruptive.
- 10 Placement is NOT an outcome.** Private schools in New Jersey collect data that examine what happens to students after they leave. Our graduates go to college, trade schools, jobs and the military, and are linked with post-secondary service providers at impressive rates. It is the **outcome** that matters – not just where the services are delivered.
- 11 Private special education is NOT more costly.** This has nothing to do with LRE, but it has been the focus of many placement decisions. It is less costly to taxpayers to educate a child with complex needs in a state-approved private school than it is to provide a comparable program in a public school setting. Public school tuitions – some of which already exceed private school tuitions – exclude costs such as teacher pensions and health benefits on retirement, which are paid by state and county tax dollars. A private school with a published tuition of \$40,000 costs taxpayers \$40,000, but a public program with the same published tuition actually costs taxpayers close to \$60,000.

NOTE: This summary is one resource in ASAH’s Placement Tool Kit for Parents and Educators. To access the toolkit, visit www.asah.org



ASAH,
2125 Route 33
Hamilton Square, NJ 08690
609-890-1400