

ARKANSAS DEPARTMENT OF EDUCATION
SPECIAL EDUCATION AND RELATED SERVICES
13.00 LEAST RESTRICTIVE ENVIRONMENT
July 2008

13.01 GENERAL LRE REQUIREMENTS

13.01.1 Each public agency must ensure -

13.01.1.1 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 nondisabled; and

13.01.1.2 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.

13.02 CONTINUUM OF ALTERNATIVE PLACEMENTS

13.02.1 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.

13.02.2 The continuum required in § 13.02.1 must -

13.02.2.1 Include the alternative placements listed in the definition of special education under 34 CFR 300.38 and § 2.68 of these regulations (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and

13.02.2.2 Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

13.03 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 -

- 13.03.1 The placement decision -
 - 13.03.1.1 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
 - 13.03.1.2 Is made in conformity with the LRE provisions of §13.01 of these regulations and 34 CFR 300.114 - 300. 118.
- 13.03.2 The child's placement -
 - 13.03.2.1 Is determined at least annually;
 - 13.03.2.2 Is based on the child's IEP; and
 - 13.03.2.3 Is as close as possible to the child's home;
- 13.03.3 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;
- 13.03.4 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
- 13.03.5 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.

13.04 NONACADEMIC SETTINGS

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in 34 CFR 300. 107, each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the

supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

13.05 TECHNICAL ASSISTANCE AND TRAINING ACTIVITIES

Each public agency must carry out activities to ensure that teachers and administrators under its jurisdiction -

13.05.1 Are fully informed about their responsibilities for implementing LRE; and

13.05.2 Are provided with technical assistance and training necessary to assist them in this effort.