COLORADO
Department of Education

Colorado IEP Parent Training

Module 5: Least Restrictive Environment

May 15, 2026

Module 5 overview

- Historical context
- IDEA's LRE requirement
- Inclusion as a related concept
- Location
- School choice

Review of acronyms

- **IDEA**: The Individuals with Disabilities Education Act
- **ECEA**: The Exceptional Children's Educational Act
- **CDE**: Colorado Department of Education
- **AU**: Administrative Unit, which includes school districts and Boards of Cooperative Education Services (BOCES), etc.
- **FAPE**: Free Appropriate Public Education
- **IEP**: Individualized Education Program
- **PSN**: Procedural Safeguards Notice
- **PWN:** Prior Written Notice

Historical context

- Prior to the 1970s, exclusion of children with disabilities from education was the rule.
- Early 1970 cases successfully challenged systemic exclusion of children with disabilities.
- IDEA was originally enacted in 1975 as the Education for All Handicapped Children Act. At that time, Congress found that more than half of all children with disabilities were not receiving appropriate educational services and that 1 million children with disabilities were excluded entirely from the public school system.
- The Least Restrictive Environment (LRE) requirement has been part of the law since its inception in 1975.

IDEA's LRE requirement

- IDEA says 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 USC § 1412 (a)(5).

What IDEA's LRE requirement means

- A child with disabilities must be educated with children without disabilities to the **maximum extent appropriate**.
- A child with disabilities can **only** be removed from the regular education class **if the child cannot be satisfactorily educated in the regular educational environment with the use of supplementary aids and services**.

LRE: 3 maximums

- To the maximum extent appropriate, children with disabilities are **educated** with children who are nondisabled. 34 C.F.R. § 300.114.
- To the maximum extent appropriate, children with disabilities are able to participate in **extracurricular activities** with children who are nondisabled. 34 C.F.R. § 300.117.
- To the maximum extent appropriate, children with disabilities are provided **supplementary aids and services** to enable them to be educated with children who are nondisabled. 34 C.F.R. § 300.42.

How is LRE determined?

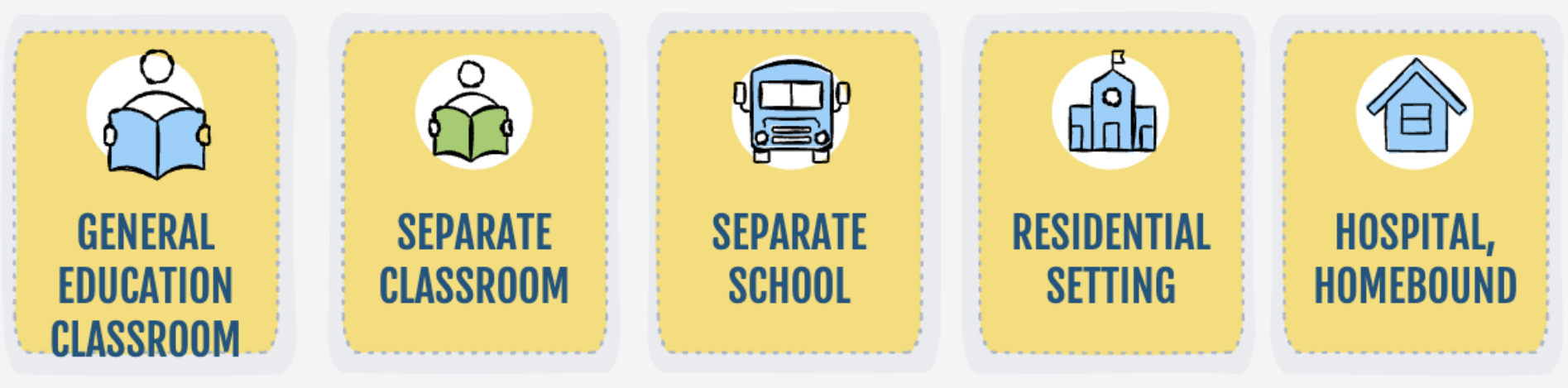
- The child's IEP team determines the LRE based on:
  - the individualized needs of the child; and
  - the child's IEP.
- In determining the LRE, the IEP team must consider any potential harmful effect on the child or on the quality of the services that the child needs.
- The child cannot be removed from education in an age-appropriate general education classroom solely because of needed modifications in the general education curriculum.
- 34 C.F.R. § 300.116.

Explanation of any removal from regular classroom

- IDEA has a strong preference for education in regular classes.
- The IEP must include “an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class . . .” 34 CFR § 300.320 (a) (5).
- For some children, the regular classroom is **not** the least restrictive environment.
- The IEP team may determine that the child cannot be educated satisfactorily in the regular classroom, even when supplementary aids and services are provided. An alternative placement must then be considered.

Continuum of alternative placements

- AUs must offer a continuum of alternative settings in which an IEP can be implemented to meet the child's needs.
- Provision must be made for supplementary services, such as resource room or itinerant instruction, in conjunction with regular class placement. 34 CFR §300.115(b).



LRE progression

Regular Classroom→to the MAXIMUM EXTENT APPROPRIATE

Special Classes→ONLY if regular classes with SUPPLEMENTARY AIDS and SERVICES cannot be achieved

Separate Schools→ONLY if NO lesser restrictive option will work

Residential Settings→ONLY if NO lesser restrictive option will work

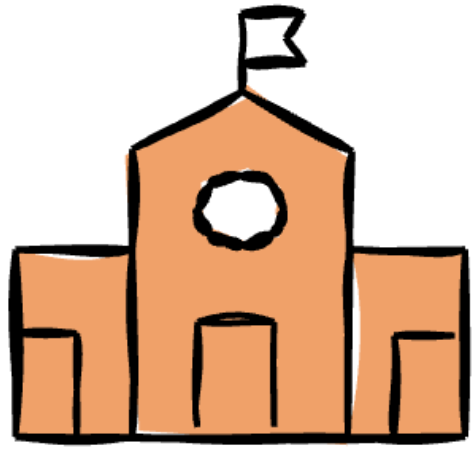
Hospital/Homebound→ ONLY if education with NO PEERS is the ONLY OPTION

Inclusion and LRE

- Inclusion and LRE are related concepts.
- While the term inclusion is not used in IDEA, inclusive practices support the LRE requirement.
- Common characteristics of inclusive education:
  - Students with disabilities are educated alongside their non-disabled peers.
  - Use of practices that make the curriculum accessible to a wide range of students.
- Inclusive educational settings have been found to confer substantial benefits for children with and without disabilities. (See, e.g., *A Summary of the Evidence on Inclusive Education, Dr. Thomas Hehir et al (2016)*)

Location

- Location is the physical location or site where the services will be delivered.
  - For example, a particular school or classroom.
- The AU is responsible for finding an appropriate location to deliver the program of services.
- The location should be as close to the child's home as possible.
- Unless the IEP requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled.

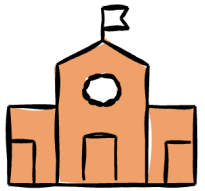


Placement vs. location

- "**Placement**" or "educational placement" means the provision of special education and related services described in the child's IEP. ECEA Rule 4.03(8)(a)
- Special education and related services must be provided in a setting with children without disabilities as much as appropriate.



- **"Location"** is a place such as a specific classroom or school.
- Decisions regarding the physical location in which a child's IEP will be implemented are typically made by the Director of Special Education or designee, ECEA Rule 4.03(8)(b)(iii)



Change in building or location

- A change in building or location that is not a change in placement (the provision of special education and related services) may be accomplished without an IEP meeting or conducting a reevaluation.
- Changes of building or location should be made considering the impact on the child's total education program and must include parent participation.
- A building or location decision that does not constitute a change in placement does not require a prior written notice except as provided in ECEA Rule 4.03(8)(c), which relates to a school of choice.
- ECEA Rule 4.03(8)(b)(iii).

Change of location example

- The AU had two equally appropriate locations that met the child's special education and related services needs. The AU initially assigned the child to the school closer to the child's home.
- Because of a school closure, the AU notifies the parents that they need to change the child's location. With parent input and with consideration of the impact on the child's education program, the AU decides to change the child's location to the other appropriate location with no changes to the child's IEP.

School of choice

- Schools cannot ask about the child's IEP or disability status during the application process.
- After a child is admitted, the AU may convene the IEP team to determine if the school of choice can provide the child a free appropriate public education (FAPE).
- If the IEP team determines that the child's IEP cannot be appropriately implemented at the school of choice, the AU may assign the child to another campus or building where the child's IEP can be implemented.
- If the AU assigns the child to another building, it must provide parents with meaningful participation and consider the impact of the location on the child's total educational program. ECEA Rule 4.03(8)(b)(iv).

School of choice example

- A child with an IEP applies to a school of choice and is admitted.
- After the child is admitted, the complete IEP team meets to determine if FAPE may be provided at the school of choice. The parents participate in the meeting in a meaningful way.
- The IEP team determines that the child's IEP cannot be appropriately implemented at the school of choice.
- After considering the impact of the location on the child's total educational program, the AU assigns the child to another school where the child's IEP can be implemented.
- Parents are given prior written notice of the decision.

Individual support

Families, educators, and other professionals with questions about Special Education or needing assistance can contact CDE's Office of Special Education.

Phone: 720-926-1453

Email:

Parents_ESSUquestions@cde.state.co.us



CDE/Colorado resources

- CDE, Building Placement and Schools of Choice for Special Education Students
- CDE, Special Education in Charter Schools
- CDE, Making LRE Placement Decisions for Preschoolers

More resources (not specific to CO)

- US ED, Office of Special Education and Rehabilitative Services, guidance on parent role in placement decision, Dear Colleague Letter to Breeskin (Nov. 22, 2019)
- Center for Parent Information and Resources, Considering LRE in Placement Decisions
- Abt Associates, A Summary of the Evidence on Inclusion
- US HHS and ED, Joint Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs (2023)