

Students

MOUNT PLEASANT COTTAGE SCHOOL UNION FREE SCHOOL DISTRICT**SUBJECT: LEAST RESTRICTIVE ENVIRONMENT****Definitions**

- 1) "Least restrictive environment" is the legal mandate of the Individuals with Disabilities Education Act (IDEA) and begins with the premise that students with disabilities should participate in the general education curriculum as appropriate, with transfer to more restrictive educational settings taking place only where such removal is necessary to carry out the student's education program.

Removal from the regular educational environment will occur only when the nature or severity of a student's disability is such that even with the use of supplementary aids and services, education in a regular classroom setting cannot be satisfactorily achieved.

To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class including, as appropriate, related services, resource room programs and special class programs within the general education classroom.

- 2) "Related services" means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes speech-language pathology, audiology services, interpreting services, psychological services, physical therapy, occupational therapy, counseling services (including rehabilitation counseling services), orientation and mobility services, medical services as defined in Commissioner's Regulations, parent counseling and training, school health services, school nurse services, school social work, assistive technology services, appropriate access to recreation (including therapeutic recreation), other appropriate developmental or corrective support services, and other support services. Related services also include the early identification and assessment of disabling conditions in students. The term does not include a medical device that is surgically implanted, the optimization of the device's functioning (e.g., mapping), maintenance of that device, or the replacement of such device.
- 3) "School health services" means health services provided by either a qualified school nurse or other qualified person that are designed to enable a student with a disability to receive a free appropriate public education (FAPE) as described in the individualized education program (IEP) of the student.
- 4) "School nurse services" means services provided by a registered professional nurse that are designed to enable a student with a disability to receive a free appropriate public education (FAPE) as described in the IEP of the student.

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- 5) "Specially-designed instruction" means adapting, as appropriate to the needs of an eligible student with disabilities, the content, methodology, or delivery of instruction to address the unique needs that result from the student's disabilities; and to ensure access of the student to the general education curriculum, so that he/she can meet the educational standards that apply to all students.
- 6) "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 students which disabilities to be educated with nondisabled students to the maximum extent appropriate in accordance with the least restrictive environment.

Accordingly, the Committee on Special Education (CSE) and/or Committee on Preschool Special Education (CPSE), as applicable, shall determine, and the Mount Pleasant Cottage School Union Free School District shall provide, the accommodations, modifications, supports, and supplementary aids and services needed by each student with a disability to be involved in and progress in the general education curriculum, achieve the goals of the Individualized Education Program (IEP), and participate in State and District-wide assessments.

Individualized Education Program

In developing the recommendations for an IEP for a student eligible for special education services, the CSE or CPSE, as may be applicable, shall indicate, among other considerations/factors, a statement of the program modifications or supports for school personnel that will be provided for the student:

- 1) To advance appropriately toward attaining the annual goals;
- 2) To be involved and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; or, for preschool students, as appropriate, participation in appropriate activities;
- 3) To be educated and participate with other students with disabilities and nondisabled students in such activities.

The IEP shall also indicate the regular education classes in which the student will receive consultant teacher services.

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In conformity with the least restrictive environment provisions of law and regulations:

- 1) Placement shall be based on the student's IEP and determined at least annually;
- 2) Placement shall be as close as possible to the student's home, and unless the student's IEP requires some other arrangement, the student shall be educated in the school he/she would have attended if not disabled;
- 3) In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services that he/she needs;
- 4) A student with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

The District will ensure that each regular education teacher, special education teacher, related services provider, and other service provider who is responsible for the implementation of the student's IEP shall be provided a copy of the IEP (including amendments) prior to the implementation of the program. The District shall further ensure that each teacher and provider is informed prior to the implementation of the IEP of his/her specific responsibilities related to implementing the student's IEP and the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP. A copy of the IEP shall be provided to the student's parents at no cost to the student's parents. (Refer to Regulation #7640R -- Guidelines for Providing Copies of Students' Individualized Education Programs (IEPs) and Informing School Personnel of IEP Responsibilities).

Additionally, the IEP shall provide:

- 1) An explanation of the extent, if any, to which the student will not participate in regular education programs; or
- 2) For preschool students, an explanation of the extent, if any, to which the student will not participate in appropriate activities with age-appropriate nondisabled peers; and
- 3) If the student is not participating in a regular physical education program, the extent to which the student will participate in specially-designed instruction in physical education, including adapted physical education.

No student shall be required to obtain a prescription for a drug or other substance identified as a controlled substance by the federal Controlled Substance Act as a condition of receiving an evaluation or services.

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SUBJECT: LEAST RESTRICTIVE ENVIRONMENT (Cont'd.)**Annual Review**

The annual review of each student with a disability shall be based upon a review of the student's IEP and other current information pertaining to the student's performance. The review shall include consideration of the educational progress and achievement of the student with a disability and the student's ability to participate in instructional programs in regular education and in the least restrictive environment. Further, such annual review shall revise the IEP as appropriate to address:

- 1) Any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate;
- 2) The results of any reevaluation and any information about the student provided to, or by, the parents;
- 3) The student's anticipated needs;
- 4) Or other matters, including a student's need for test accommodations and/or modifications.