

# Appendix H

## Guidelines for Calculating Least Restrictive Environment (LRE) for PennData Reporting

The purpose of this document is to guide Individualized Education Program (IEP) teams in calculating the Least Restrictive Environment (LRE) percentage to report to PennData as required in Section VIII of the Individualized Education Program (IEP). These are guidelines for use by IEP teams in making informed decisions related to LRE reporting. Specific circumstances are considered on a case-by-case basis with the final decision made by a child's IEP team.

### Importance of Accurate LRE Reporting

Every state is required to provide an annual report of specific data related to the education of students with disabilities to the federal government. In Pennsylvania, this information is gathered through the Penn Data reporting system. Data, such as ethnic background and disability category are compiled by the Pennsylvania Department of Education (PDE) in a variety of reports and forwarded to the Office of Special Education Programs (OSEP) at the U.S. Department of Education.

Pennsylvania's Gaskin Settlement Agreement has heightened the importance of LRE data. The settlement agreement requires annual ranking of school districts based upon data related to their LRE practices. Although the formula used to rank districts is complex, one of the most critical factors is the PennData LRE data.

LRE percentages from each child's IEP are compiled by the Local Education Agency (LEA) and reported via PennData. If LRE percentages are miscalculated by the IEP team, the data that is reported by the LEA may be skewed and represent an inaccurate picture of the Local Education Agency's LRE practices. Inaccurate data reporting may result in PennData errors and may cause some LEAs to be ranked inappropriately.

### Identifying Location

LRE reporting reflects LOCATION only and is not an indication of the amount of special education service that a child with a disability receives. Following are the fundamental principles for IEP team decision-making:

- If a child is physically placed within an educational environment where children without disabilities are receiving instruction, it is considered to be a **regular education setting**.
- If a child is physically placed within an environment where only children with IEPs are receiving instruction from a special educator, it is considered to be a **special education setting**.
- Instruction that occurs outside the classroom, such as within the school or community where interaction occurs with persons without disabilities, is considered to be a **regular education setting**.

**Reporting LRE: Section VIII of the IEP Form**

There are two parts to Section VIII of the IEP.

- Section A is completed for children who are being educated in regular school buildings. It contains a chart with six columns that are completed by the IEP Team.

**Calculations for This Child**

Name of School Building:

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Total # hours the child receives special education services per week	Total # hours the child receives special education services <u>in</u> regular education classroom	Total # hours the child receives special education services <u>outside</u> of regular education classroom	Total # hours in school per week	# hours outside (Column 3) ÷ # hours in school (Column 4) x 100 = %	LRE Category to check on IEP  <input type="checkbox"/> Less than 21% <input type="checkbox"/> 21-60% <input type="checkbox"/> 61% or more <input type="checkbox"/> N/A

- Section B is completed if a child is not educated in a regular school building. In this case, check “N/A” in the last column of Section A and then complete Section B.

**Calculations for This Child**

Name of School Building:  

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Total # hours the child receives special education services per week  _____	Total # hours the child receives special education services <u>in</u> regular education classroom  _____	Total # hours the child receives special education services <u>outside</u> of regular education classroom  _____	Total # hours in school per week  _____	# hours outside (Column 3) ÷ # hours in school (Column 4) x 100 = %  _____	LRE Category to check on IEP  <input type="checkbox"/> Less than 21% <input type="checkbox"/> 21-60% <input type="checkbox"/> 61% or more <input checked="" type="checkbox"/> N/A

For Children Being Educated Outside Regular School Buildings		Name of School or Facility
<input type="checkbox"/>	Approved Private School (Non Residential)	
<input type="checkbox"/>	Approved Private School (Residential)	<span style="background-color: #cccccc; border: 1px solid black; padding: 0 10px;"> </span>

<input type="checkbox"/>	Other Private Facility (Non Residential)	■
<input type="checkbox"/>	Other Private Facility (Residential)	■
<input type="checkbox"/>	Other Public Facility (Residential)	■
<input type="checkbox"/>	Other Public Facility (Non Residential)	■
<input type="checkbox"/>	Hospital/Homebound	■
<input type="checkbox"/>	Correctional Facility	■
<input type="checkbox"/>	Out of State Facility	■
<input type="checkbox"/>	Instruction Conducted in the Home	

Following are some examples:

- If a child spends the entire school week in a regular school, complete section A and calculate LRE percentage according to the instructions.
- If a child spends part of the school week in a *regular education setting* and part of the school week in a *special education setting* outside the *regular education setting*, then the setting in which the child spends 50% or more of the school week is reported for LRE purposes.
  - If the child spends more than 50% of the week in a regular education setting, Section A should be completed on the IEP. Care should be taken, however, to calculate time in all settings when calculating percentages in Section A.
  - If the child spends more than 50% of the week in a special education setting outside the regular education setting, Section B should be completed on the IEP.
- If a child attends school at a residential Approved Private School, Section B should be completed. Check N/A in the last column of Section A, and then complete Section B. In Section B, the team should check “Approved Private School (Residential)” and write the name of the school in the second column.

- If a child attends school in a center-based special education facility, Section B should be completed. Check N/A in the last column of Section A, then complete Section B. In Section B, the team should check “Other Public Facility (Non Residential)” and write the name of the school in the second column.

## Terminology

The descriptions for following terms are from non-regulatory definitions developed by OSEP for data collection purposes.

### **Community-based instruction**

Educational time spent in age-appropriate community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, should be counted as time spent with non-disabled peers.

### **Correctional facility**

Facility where student offenders with disabilities are placed through a judicial proceeding, including short-term detention facilities (community-based or residential).

### **Educational environment**

Educational environment refers to the extent to which students with disabilities receive special education and related services in classes or schools with their non-disabled peers.

### **Educational placement**

The location where a special education program is provided. For school-aged children, this location is one of the following: regular school campus, in which the student may be removed from his or her non-disabled peers, for less than 21 % of the day, 21 to 60 % of the school day, or more than 61 % of the school day; public separate school; private separate school; public residential facility; private residential facility; or homebound/hospital.

### **Educational program**

The purposeful activities that occur during the school day.

### **Homebound/hospital**

Place where children and youth with disabilities receive special education in medical treatment facilities on an in-patient basis or at home. For students being educated in this setting, the number of hours outside the regular classroom is the number of hours the youth spends in separate special education environments (e.g. resource rooms, self-contained special education classrooms, separate schools.) This category **does not** include children with disabilities whose parents have opted to home-school them and who receive special education at the public expense. Home schooled children should be reported in one of the regular class categories according to the amount of time the youth spends in separate special education environments (e.g. resource rooms, self-contained special education classrooms, separate schools).

### **Regular school campus**

A campus serving students with and students without disabilities (e.g.. not serving predominantly students with disabilities.)

### **Residential facility (School age)**

Count of children and youth with disabilities receiving special education and related services for greater than 50 % of the school day in public or private residential facilities.

### **School day**

“(1) School day means any day, including a partial day, that children are in attendance at school for instructional purposes.  
(2) The term school day has the same meaning for all children in school, including children with and without disabilities.”

Note: To calculate the percentage of time outside the regular classroom, divide the number of hours the youth receives special education and related services outside the regular classroom by the *total number of hours in the school day* (including lunch, recess and study periods).

#### **Separate school (School age)**

Count of children and youth with disabilities who receive special education and related services for greater than 50 % of the school day in a facility that does not house programs for students without disabilities.

#### **Special education outside regular class less than 21 % of day**

- [This data item includes a] count of children and youth with disabilities who receive special education and related services outside the regular classroom for less than 21 % of the school day. This may include children and youth with disabilities placed in: regular class with special education/related services provided within regular class, regular class with instruction within the regular class and with special education/related services provided outside regular class, or regular class with special education services provided in a resource room.
- [This data item also includes a] count of children and youth with disabilities who receive special education and related services in age-appropriate community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, receiving special education and related services outside regular classrooms or community-based settings for less than 21 % of the school day.

#### **Special education outside regular class at least 21% of day and no more than 60% of day**

- [This data item includes a] count of children and youth with disabilities who receive special education and related services outside the regular classroom for 60 % or less of the school day and at least 21 % but no more than 60 % of the school day. This may include children and youth placed in: resource rooms with special education/related services provided within the resource room, or resource room with part-time instruction in a regular class.
- [This data item also includes a] count of children and youth with disabilities who receive special education and related services in age-appropriate community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, receiving special education and related services outside the regular classrooms or community-based settings for at least 21 % but no more than 60 % of the school day.

#### **Special education outside regular class more than 60 % of day**

- [This data item includes a] count of children and youth with disabilities who receive special education and related services outside the regular classroom for more than 60 % of the school day. This includes only children and youth with disabilities educated on the regular school campus. This does not include pupils who received education programs in public or private separate day or residential facilities. This may include children and youth placed in: self-contained special classrooms with part-time instruction in a regular class, or self-contained special classrooms full-time on a regular school campus.
- [This data item also includes a] count of children and youth with disabilities who receive special education and related services in age-appropriate community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, receiving special education and related services outside the regular classroom or community-based setting for more than 60 % of the school day.

#### **References**

Office of Special Education Programs, U.S. Department of Education, October, 2005 IDEA, Part B Data Dictionary <http://www.ideadata.org/docs/bdatadictionary.pdf>  
Office of Special Education Programs, U.S. Department of Education, General Directions, October, 2004, Table 3, Part B, Individuals with Disabilities Education Act, Implementation of FAPE Requirements

IMPLEMENTATION OF FAPE REQUIREMENTS  
IDEA 2004

## Regular Education Settings for the Purposes of LRE Reporting

Location & Circumstances	Consider this time:			Why?	How to calculate this time on IEP?
	Reg Ed	Spec Ed	Other		
<b>Regular classroom all day</b> with 1:1 paraeducator support provided to child 100% of day	<b>X</b>			Paraeducator support is an IEP team decision related to the specially designed instruction that a child needs. It does not impact LRE reporting.	Calculate as time in regular education
Child receives <b>specialized instruction in resource room</b> , taught by Special Education Teacher.		<b>X</b>		This is special education delivered physically outside of the regular education environment	Calculate as time in special education
<b>Speech therapy</b> delivered in separate therapy room		<b>X</b>		This is special education delivered physically outside of the regular education environment	Calculate as time in special education
<b>Integrated speech therapy within regular classroom</b> , provided by Speech and Language Therapist	<b>X</b>			This is special education delivered inside the regular classroom	Calculate as time in regular education
General education classroom with <b>co-teaching</b>	<b>X</b>			Co-Teaching is an instructional strategy that is provided to all children	Calculate as time in regular education
<b>Alternative</b> Education program	<b>X</b>			An alternative education environment that includes both non-disabled and disabled children is a parallel program to regular education.	Treat as “regular education” if children with disabilities and non-disabled peers are educated in the program.

Location & Circumstances	Consider this time:			Why?	How to calculate this time on IEP?
	Reg Ed	Spec Ed	Other		
<b>Educational time spent in age-appropriate, community based setting which includes individuals with and without disabilities</b> , e.g., vocational sites, supermarkets, colleges, etc.	X			Time spent in community environments with non-disabled peers and community members is considered to be “regular education”	Count as time spent with non-disabled children.
<b>Correctional facilities</b>			X	Students are not being educated in regular schools.	Not applicable to time calculated in regular buildings. Write the name of the correctional facility in Section B in space entitled “For children being educated outside regular school buildings...”
<b>One-on-one orientation and mobility instruction</b> in halls and stairs of school building with vision therapist.	X			School is considered regular education.	Calculate as regular education
<b>Recess with non-disabled children</b>	X			Recess is part of the school day and participation alongside non-disabled children is regular education.	Calculate as regular education
<b>Recess with only children with IEPs</b>		X		Since no regular education children participate, this activity is a special education activity	Calculate as time in special education
<b>Peer buddies</b> visit the special education classroom		X		Even though non-disabled children are physically within the special education classroom, the instruction is still performed by special education teacher in a special education setting.	Calculate as time in special education

Location & Circumstances	Consider this time:			Why?	How to calculate this time on IEP?
	Reg Ed	Spec Ed	Other		
<b>Field trips</b>	N/A	N/A	N/A	Field trips do not occur as part of the weekly schedule for children.	This does not impact LRE reporting as LRE reporting is based on a typical week for a child.
<b>Flexible grouping</b> , e.g., for reading instruction	X			Flexible grouping is an instructional strategy that does not impact LRE reporting; as long as groupings are based on skill levels of all children, with and without disabilities	Report only percentage of time child is removed from regular education in Section A of LRE reporting portion of IEP.
<b>Detentions and Suspensions</b>	N/A	N/A	N/A	Detentions and suspensions do not occur as part of the weekly schedule for children.	This does not impact LRE reporting as it is based on a typical week for a child.
<b>Instruction Conducted in the Home</b>			X	“Instruction Conducted in the Home” is the most restrictive setting along the special education continuum of services.	Complete section B of the IEP, checking the box denoting instruction conducted in the home.
Students engaged in <b>job training in sites within the school setting</b>	X			Training in actual work settings is considered ‘regular education’.	Calculate as regular education

Location & Circumstances	Consider this time:			Why?	How to calculate this time on IEP?
	Reg Ed	Spec Ed	Other		
<b>Instruction in a sheltered workshop</b>		<b>X</b>		This is a segregated setting	If the student is in this setting more than 50% of the time, complete section B of the IEP, checking the box denoting 'other public facility, non-residential. If the student is in this setting LESS than 50% of the time, complete section A, making sure you calculate time in this setting as 'special education'
<b>Lunch in cafeteria</b>	<b>X</b>			Lunch is part of the school day and there are opportunities to interact with non-disabled peers	Considered as part of regular education with non-disabled children
<b>Lunch in special education classroom with children with IEPs.</b>		<b>X</b>		Lunch is part of the school day and there are not opportunities to interact with non-disabled peers	Calculate as time spent in special education
<b>Other locations</b> (e.g., APSs, Public Separate Facilities, etc.)			<b>X</b>	These settings are not in regular school buildings.	If the student is in this setting more than 50% of the time, complete section B of the IEP, checking the box denoting 'other public facility, non-residential. If the student is in this setting LESS than 50% of the time, complete section A, making sure you calculate time in this setting as 'special education'.

Location & Circumstances	Consider this time:			Why?	How to calculate this time on IEP?
	Reg Ed	Spec Ed	Other		
Instruction provided to a group of children, all with IEPs in regular education classroom, taught by special education teacher. (ex: children receive special education instruction in Home Economics room)		X		Teacher is a special education teacher. Only the physical classroom is a regular education setting.	Calculate as time in special education setting.

**Reminder:** Section A of the IEP is to be used for children being educated in regular buildings with peers without disabilities. Statewide, this group represents approximately 96% of all children with IEPs. Section B is to be used for children being educated in settings outside regular school buildings.