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March 16, 2022

Ref.: KC-2022-010

LRE JUSTIFICATION GUIDELINES

**§.300.320 Definition of individualized education program**

***(5) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described in paragraph (a)(4) of this section; The IEP team must provide a written justification regarding their decision to place a student in any setting outside the regular classroom. Removal from the regular educational classroom shall occur only when the nature or severity of the child's needs is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.***

The IEP team must provide a written description of the options considered and the reasons why those options were rejected for EACH identified option on the continuum of alternative placements from the least restrictive to most restrictive down to the option chosen. Describe why the chosen option was accepted.

Rejected and Accepted LRE Consideration Examples:

General classroom with accommodations and modifications:  
 Rejected – Describe why, include data  
 Resource room: Rejected – Describe why, include data  
 Self-contained classroom: Accepted – Describe why, include data

Specify Instructional Needs:

- The written descriptions should describe the student's instructional needs that resulted in the team's decision to remove the student from the general classroom setting. Do not restate the students Present Levels of Academic Achievement and Functional Performance (PLAAFPs) or the supplementary aids and services.
- For the options rejected, discuss the instructional strategies that were attempted and failed in that setting.
- For the option selected, specify the student's instructional needs that will be met in this placement category that cannot be met in the general education setting.
- The justification statement goes beyond a description of

a preferred option such as "student needs better ratio than this option can provide". The justification tells why this placement option is essential to a student's unique learning needs and describes those needs.

- The justification must clearly outline the IEP team's discussion, with serious consideration given to the "potential harmful effects" of removing the student from the general education setting and from their peers.

- Unacceptable Justifications Reflect:
  - Decisions based on non-academic reason •
  - Decisions based on non-individualized reason •
  - Administrative convenience •
  - decision based on disability category
  - decision identical to all other students in that placement
  - decisions based on availability of related services
  - decision based on availability of services
  - decisions based on availability of space