

Section VII

LEAST RESTRICTIVE ENVIRONMENT (LRE) (300.130)

General LRE Requirements. Students with disabilities shall be educated in the least restrictive environment. Each school entity shall ensure that:

- (1) To the maximum extent possible, and as provided in the IEP, the student with a disability is educated with nondisabled peers.
- (2) Special classes, separate schooling or other removal of a student with a disability from the regular education class occur only when the nature or severity of the disability is such that education in the regular education class with the use of appropriate supplementary aids and services (SAS) cannot be achieved satisfactorily.
- (3) A student may not be determined to require separate education because the child cannot achieve at the same level as classmates who do not have disabilities if the child can, with the full range of SAS, make meaningful progress on the goals included in the student's IEP.
- (4) A student may not be removed from or determined to be ineligible for placement in a regular education classroom solely because of the nature or severity of the student's disability, or solely because educating the student in the regular education classroom would necessitate additional cost or for administrative convenience.
- (5) School entities shall be required to provide access to a full continuum of placement options.

Continuum of alternative placements. HOPE Charter School provides for a continuum of alternative placements to meet the needs of children with disabilities for special education and related services. The continuum includes instruction in regular classes, special schools, home instruction, and instruction in hospitals and institutions and HOPE Charter School makes provision for supplementary services (such as supplemental supports or itinerant instruction) to be provided in conjunction with regular class placement.

Placements. In determining the educational placement of a child with a disability, including a preschool child with a disability, HOPE Charter School placement decision is made by a group of persons, including parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and is made in conformity with the LRE provisions of this section. The child's placement: (1) is determined at least annually; (2) is based on the child's IEP; and (3) is as close as possible to the child's home. 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. 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. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum. The IEP team for students with a disability who are convicted and in adult prisons, may modify the student's educational placement if it is demonstrated that a bona fide security or compelling penological interest cannot otherwise be accommodated.

Nonacademic settings. In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by HOPE Charter School, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by HOPE Charter School and assistance in making outside employment available, each child with a disability participates with nondisabled children in those services and activities to the maximum extent appropriate to the needs of that child.