

# Least Restrictive Environment (LRE) and Preschool Continuum

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This guidance document is designed to assist Individual Education Program (IEP) teams in understanding early childhood educational environments and their relationship to Least Restrictive Environment (LRE) for preschool aged children with disabilities. The guidance on adhering to the LRE requirement with respect to preschool placements for young children with disabilities ages 3–5 and not yet in kindergarten can be further explained through the IDEA (34 C.F.R. § 300).

Regulations to LEAs in Part B of the IDEA (34 C.F.R. § 300), that provide LRE requirements apply to the placement of preschool children with disabilities. The statutory requirements for LRE do not distinguish between school-aged and preschool-aged children and must be applied equally.

These requirements state IDEA’s expectation that children with disabilities are educated in regular classes with supplementary aids and supports. United States Code [20 U.S.C. 1412](#) states that:

Each public agency must ensure that

- (i) 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 nondisabled; and
- (ii) special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. ([34 C.F.R. § 300.114](#))

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 children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with [34 C.F.R. § 300.114](#) through [34 C.F.R. § 300.116](#).

In accordance with [34 C.F.R. § 300.115](#) through [34 C.F.R. § 300.116](#), a preschool continuum of alternative placements must be provided by each public agency to meet the needs of children with disabilities for special education and related services.

The preschool continuum must:

- 1) include placements listed in the definition of special education under [34 C.F.R. § 300.39](#) (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
- 2) make provision for supplementary services such as a resource room or itinerant instruction to be provided in conjunction with regular class placement. South Carolina Department of Education (SCDE) staff have worked with Head Start, First Steps, Office of the Child Care Administrator and other state level partners to develop guidance that supports LEAs to build a preschool continuum of alternative placements for young children with disabilities.

After reviewing the guidance, LEAs may determine, based on IEP team decisions, that there is the need to modify the existing placement options for preschool children with disabilities. For example, offering only a self-contained special education class for 4-year-old children is not a continuum, and LEAs should consider the need for itinerant special education services to serve children in local early childhood education programs.

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must ensure that ([34 C.F.R. § 300.114](#) through [34 C.F.R. § 300.116](#)):

- The placement decision is made:
  - by a team of persons, including the parents, and other persons knowledgeable about the child, who discuss evaluation results and placement options
  - in conformity with the LRE provisions of this subpart, including [34 C.F.R. § 300.114](#) through [34 C.F.R. § 300.118](#)
- The child's placement is:
  - determined at least annually
  - based on the child's IEP
  - 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 education curriculum. (United States Code [20 U.S.C. 1412](#))

## Regular Early Childhood Program

A Regular Early Childhood Program is used for reporting purposes and is defined by the Office of Special Education Programs (OSEP) to be a classroom that includes a majority (at least 50%) of non-disabled children (children who do not have an IEP). This includes Head Start programs, preschool classes offered by the public school system, private preschools and other group early care and education settings in the community.

[Guiding Questions for Discussing Services in the LRE](#) includes considerations and discussion points to guide IEP team conversations, as appropriate, when determining the LRE where the child will receive special education services. Placement options being considered must be made based on the unique needs of the child.

A valuable resource is the US Department of Education and the US Department of Health and Human Services [Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs](#) (November 2023) which states the expectation of inclusion in high-quality early childhood programs. All young children with disabilities should have access to high-quality inclusive early childhood programs that provide individualized and appropriate support to they can fully participate alongside their peers without disabilities, meet high expectations, and achieve their full potential.

## How to Correctly Code the LRE

In determining the correct LRE code, the use of this [toolkit](#) may be helpful. This resource includes a decision tree which will guide staff in coding the LRE correctly. The first question that must be answered is "Does the child attend a regular early childhood program?". Keep in mind that a Regular Early Childhood Program (RECP) includes not only district preschool programs, but also child care programs and private preschool programs. Once this question is answered, the decision tree provides continued guidance in determining the LRE. The other important piece to keep in mind is that preschool LRE is based on where the child receives the majority of their special education and related services.

Click the following link to download the [Decision Tree for Preschool Educational Environments](#).

## Resources

- [Preschool Environments Toolkit](#)

The IDC Preschool Environments Toolkit includes materials and resources that provide information and support to state education agencies (SEAs) and local education agencies (LEAs) to collect, report, analyze, and use preschool environments data.

- [Determining Least Restrictive Environment \(LRE\) Placements for Preschool Children with Disabilities](#)
- [Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs \(November 2023\)](#)

This policy statement includes recommendations for increasing the inclusion of infants, toddlers, and preschool children with disabilities in high-quality early childhood programs.

- [Team Decisions for Preschool Special Education Services Guiding Questions](#)

These are guiding questions to assist IEP team discussions regarding preschool special education services.

- [South Carolina Partnerships for Inclusion](#)

SCPI is the Technical Assistance provider for the South Carolina Department of Education.

- [The South Carolina Child Care Inclusion Collaborative \(SCIC\)](#)

Provides individualized training and technical assistance for childcare providers to support the inclusion of children with disabilities/developmental delays in childcare programs.