



Corrales International School
5500 Wilshire Ave., NE
Albuquerque, NM 87114
505.344.9733

Full Continuum of Services

The Least Restrictive Environment section of the IEP provides the necessary documentation that the IEP Team determined placement in the least restrictive environment according to the IDEA requirements and this procedural directive.

Corrales International School, "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 not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in the regular classes with the use of supplementary aids and services cannot be achieved satisfactorily." (20 U.S.C. §1412(a)(5)(A); also, 34 C.F.R. §300.114(a)(2))

Full Continuum of Services

Corrales International School shall ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. (34 C.F.R. '300.115(a))

Corrales International School' continuum includes:

- Instruction in regular classes;
- Provision for supplementary services such as resource room or itinerant instruction, to be provided in conjunction with regular class placement;
- Instruction in special classes;
- Instruction in special schools;
- Home instruction; and
- Instruction in hospitals and institutions.

(34 C.F.R. §300.115(b))

There is no requirement that each of the placements on the continuum be utilized. Instead, Corrales International School shall ensure that, to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled; and 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. (OSEP Redacted Letter (March 30, 2009))

Placement Decisions

Placement decisions for children with disabilities shall be made on an individual basis, based on the unique needs of each child, by the IEP Team. (34 CFR § 300.116(a)(1))

Using the IEP Team process, Corrales International School shall ensure that:

- The placement decision, including for a preschool age child, is made by the IEP Team in conformity with the least restrictive environment provisions of the IDEA;
- The child's placement is determined at least annually;
- The child's placement is based on the child's IEP;
- In selecting the LRE, consideration is given to any potential harmful effects on the child or on the quality of services that he or she needs; and
- A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

(34 C.F.R. §300.116)

The IEP shall include a statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child:

- To advance appropriately toward attaining the annual goals;
- To be involved in and make progress in the general curriculum in accordance with paragraph (a)(1) of this section, and to participate in extracurricular and other nonacademic activities; and
- To be educated and participate with other children with disabilities and nondisabled children in the activities described in this section.

(34 C.F.R. §300.320(a)(4))

The IEP shall include an explanation of the extent, if any, to which the child will not participate with nondisabled children in:

- The regular class;
- The general curriculum; and
- Extracurricular and nonacademic activities.

(34 C.F.R. ' 300.320(a)(5))

Least Restrictive Environment Standard

The Tenth Circuit in *L.B. and J.B. ex rel. K.B. v. Nebo Sch. Dist.*, 379 F.3d 966 (10th Cir. 2004), adopted the standard (two-part test) and factors articulated in *Daniel R.R. v. SBOE*, 874 F.2d 1036 (5th Cir. 1989).

Standard (Two-Part Test):

- Ask whether education in the regular classroom, with the use of supplementary aids and services, can be achieved satisfactorily.
- If the answer is “no,” and the school intends to provide special education or to remove the child from regular education, ask whether the school has mainstreamed the child to the maximum extent appropriate.

Factors to consider:

- Has the district taken steps to accommodate the child with disabilities in regular education?
- Were these efforts sufficient or token?
- Will the child receive an educational benefit from regular education?
- What will be the child's overall educational experience in the mainstreamed environment balancing the benefits of regular and special education?
- What effect does the disabled child's presence have on the regular classroom environment?

Site Selection

Corrales International School is a school of choice and not the student's home school. Unless the IEP of a child with a disability requires some other arrangement, the child shall be educated at Corrales International School or in the student's home school that he/she would attend if non-disabled.

A child with a disability shall be educated in the school he/she would attend if not disabled (i.e., the neighborhood school), unless the child's IEP requires placement elsewhere. If the IEP requires placement elsewhere, then, in deciding where the appropriate placement is, geographical proximity to home is relevant, and the child shall be placed as close to home as possible. There shall be a preference for education in the neighborhood school. However, the Tenth Circuit has rejected the notion that the IDEA encompasses a presumption of neighborhood schooling. (*Murray v. Montrose County*, 51 F.3d 921 (10th Cir. 1995))

Equal Educational Opportunity

Corrales International School shall take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities. (34 C.F.R. §300.107(a))

Corrales International School shall ensure that each child with a disability has the supplementary aids and services determined by the IEP Team to be appropriate and necessary for the child to participate in nonacademic settings. (34 C.F.R. §300.117)

In providing or arranging for the provision of nonacademic and extracurricular services and activities, Corrales International School shall ensure that each child with a disability has an equal opportunity to participate with nondisabled children in those services and activities subject to the rules that are applicable to all Corrales International School. These services and activities may include:

- Meals;
- Recess periods;
- Counseling services;
- Athletics;
- Transportation;
- Health Services;
- Recreational activities;
- Special interest groups or clubs sponsored by Albuquerque Public Schools;
- Referrals to agencies that provide assistance to individuals with disabilities; and
- Employment of students, including both employment by these services and activities may include: and assistance in making outside employment available.

(34 C.F.R. §§ 300.117; 300.107(b))

Administrative Position: Head of School

Department Director: Executive Director of Special Education

References

Legal Cross Ref.:

For more information about the legal references below, refer to the following sites:

- [United States Code \(U.S.C.\)](#)
- [Code of Federal Regulations \(CFR\)](#)
- 20 U.S.C. §1412
- 34 C.F.R. §300.107
- 34 C.F.R. §300.114
- 34 CFR § 300.116
- 34 C.F.R. §300.117

- 34 C.F.R. §300.320
- The Tenth Circuit in L.B. and J.B. ex rel. K.B. v. Nebo Sch. Dist., 379 F.3d 966 (10th Cir. 2004)
- Murray v. Montrose County, 51 F.3d 921 (10th Cir. 1995)
- [OSEP Redacted Letter \(March 30, 2009\)](#)