



Fact Sheet

The Least Restrictive Environment (LRE)

Protecting and Advancing Civil Rights for Students with Disabilities

Students with disabilities have the right to be educated alongside their nondisabled peers. They have the same rights and dignity as every other citizen. Peers without disabilities gain as well by learning alongside diverse individuals with differing strengths.

Under the Individuals with Disabilities Education Act (IDEA), equity for students with disabilities is actualized by placing the student in the general education classroom, with needed support and services that permit the student to make meaningful education progress under a mandate known as the Least Restrictive Environment (LRE).

Every child with a disability has the right to be educated alongside nondisabled peers to the maximum extent appropriate. LRE¹ is a cornerstone of civil rights law. The LRE mandate has been part of IDEA since its passage in 1975. Congress strengthened the LRE provisions in the 1997 and 2004 amendments to the law. In its findings, Congress emphasized the importance of educating children with disabilities in the general education classroom:

Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by- (A) Having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible... (B) Coordinating this title with other local, educational service agency State, Federal school improvement efforts, including improvement efforts under the Elementary and Secondary Education Act of 1965, in order to ensure that such children benefit from such efforts and that special education can become a service for such children rather than a place where such children are sent; (C) Providing appropriate special education and related services, and aids and supports in the regular classroom, to such children, whenever appropriate 20 U.S.C. §1400(c)(5) (emphasis added).

The legal mandate for educating students in the LRE, reinforced by regulations and court decisions, has steadily expanded the inclusion of students with disabilities in general education classrooms alongside their nondisabled peers in the past 50 years. According to 2024 data from the U.S. Department of Education, more than 8 million children and youth ages 3–21 receive

¹ 34 CFR § 300.114

services under the Individuals with Disabilities Education Act (IDEA), and of those students, 68.1% are served for the majority of their school day in the general education setting.²

IDEA is clear:

That special classes, separate schooling and other removal of children with disabilities from regular educational environments occurs “**only if the nature or severity of the disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily.**”³

LRE is not a preference or a philosophy, it is a **civil right** grounded in fundamental human rights. The law also allows for alternative placement outside of the LRE for individual students when the team determines it is necessary.

It is critical for advocates for education equity to learn, advocate and connect to keep advancing the principle of LRE for students with disabilities.



Understanding the Foundations of LRE

- A child with a disability is not removed from education in age-appropriate general education classrooms solely because of needed modifications in the general education curriculum (20 U.S.C. § 1412(a)(5), 34 CFR § 300.116 (e)).
- 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 (20 U.S.C. § 1412(a)(5), 34 CFR § 300.116).
- Placement decisions should happen at least annually, based on the child's IEP (34 CFR § 300.116).
- A State funding mechanism must not result in placements that violate the provisions of LRE (20 U.S.C. 1412(a)(5)), 34 CFR § 300.114).
- Before considering a more restrictive placement, schools must provide aids, services, and other supports 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 (20 U.S.C. §

² IDEA Section 618 Data

³ 20 U.S.C. § 1412(a)(5)

401(33), 34 CFR § 300.42). Supplementary Aids and Services can include, but are not limited to:

- Accommodation
 - Modification
 - Instructional Support to include paraprofessional support
 - Environmental Support
 - Positive Behavioral Intervention and Support (PBIS)
 - Assistive technology
 - Communication support
 - Staff/Parent Training
 - Collaboration between staff-to-staff and staff-to-parent
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Case Law Upholding the LRE Mandate

There is no U.S. Supreme Court decision that takes up the issue of the LRE. Federal courts have affirmed the following:

Daniel R.R. v. State Board of Education, 874 F.2d 1036 (5th Cir. 1989)

Established that schools must consider education in general education with supports **before moving to a more restrictive placement.**

Oberti v. Board of Education, 995 F.2d 1204 (3d Cir. 1993)

Reinforced the strong presumption in favor of educating students with disabilities in general education and **required individualized placement decisions.**

Sacramento City Unified School District v. Rachel H., 14 F.3d 1398 (9th Cir. 1994)

Clarified that placement decisions **must consider academic benefits, social benefits, and the overall impact of inclusion.**

L.H. v. Hamilton County Department of Education, 900 F.3d 779 (6th Cir. 2018)

Affirmed that IDEA was enacted to ensure that a student remains in the least restrictive environment if placement in the LRE is **reasonably calculated** to enable the student to make progress towards the IEP's goals; citing the Endrew F. case.

D.R. v. Redondo Beach Unified School District, 56 F. 4th 636 (9th Cir. 2022)

Affirmed students' right to be educated in the least restrictive environment, with their non-disabled peers, **even when that requires significant additional supports and services.**

Jacobs v. Salt Lake City School District, 154 F.4th 790 (10th Cir. 2025)

Court found that the district wrongfully **predetermined placements** by grouping students with intellectual disabilities solely by IQ without considering individual needs or general-education options.

Research Shows LRE Benefits All Students

Research⁴ in special education consistently finds that students with disabilities who spend most of their time in general education classrooms (often called “inclusive settings”) tend to have better outcomes in several areas—though results depend on supports and implementation quality.

- Are closer to grade level in reading and math⁵
- Have better social outcomes, experience fewer disciplinary incidents and better attendance⁶
- Have better graduation, employment, and postsecondary outcomes⁷

Students without disabilities also benefit academically and socially from inclusive classrooms⁸

⁴ Alana, Abt Associates, and Harvard University, “A Summary of the Evidence on Inclusive Education,” published August 2016, https://85eab0a0a5c28f125b86-2b5fcdccca566c84afda40f7399f7c36.ssl.cf2.rackcdn.com/copaa_26ea56ddd1e2ec5c4bda5981ee21d630.pdf

⁵ Blackorby, J., Knokey, A.-M., Wagner, M., Levine, P., Schiller, E., & Sumi, C. (2007). What Makes a Difference? Influences on Outcomes for Students with Disabilities. Menlo Park, CA: SRI International. Retrieved from http://www.seels.net/designdocs/SEELS_W1W3_FINAL.pdf; de Graaf, G., & van Hove, G. (2015). Learning to read in regular and special schools: A follow-up study of students with Down syndrome. *Life Span and Disability*, 18(1), 7–39; Dessementot, R. S., Bless, G., & Morin, D. (2012). Effects of inclusion on the academic achievement and adaptive behaviour of children with intellectual disabilities. *Journal of Intellectual Disability Research*, 56(6), 579–587. <http://doi.org/10.1111/j.1365-2788.2011.01497.x>; Hehir, T., Grindal, T., & Eidelman, H. (2012). Review of special education in the Commonwealth of Massachusetts. Boston, MA: Massachusetts Department of Elementary and Secondary Education. Retrieved from <http://www.doe.mass.edu/sped/hehir/2012-04sped.pdf>; Justice, L. M., Logan, J. A. R., Lin, T.-J., & Kaderavek, J. N. (2014). Peer Effects in Early Childhood Education Testing the Assumptions of Special-Education Inclusion. *Psychological Science*, 25(9), 1722–1729. <http://doi.org/10.1177/0956797614538978>; Katz, J., & Mirenda, P. (2002). Including students with developmental disabilities in general education classrooms: Social benefits. Retrieved from http://www.internationalsped.com/magazines_articles/172full.pdf#page=27;

⁶ Barrett, W., & Randall, L. (2004). Investigating the Circle of Friends Approach: Adaptations and Implications for Practice. *Educational Psychology in Practice*, 20(4), 353–368. <http://doi.org/10.1080/0266736042000314286>; Bossaert, G., Boer, A. A. de, Frostad, P., Pijl, S. J., & Petry, K. (2015). Social participation of students with special educational needs in different educational systems. *Irish Educational Studies*, 34(1), 43–54. <http://doi.org/10.1080/03323315.2015.1010703>; Bunch, G., & Valeo, A. (2004). Student attitudes toward peers with disabilities in inclusive and special education schools. *Disability & Society*, 19(1), 61–76. <http://doi.org/10.1080/0968759032000155640>; Katz, J., & Mirenda, P. (2002). Including students with developmental disabilities in general education classrooms: Social benefits. Retrieved from http://www.internationalsped.com/magazines_articles/172full.pdf#page=27; Marder, C., Wagner, M., & Sumi, C. (2003). The social adjustment of youth with disabilities. In *The Achievements of Youth With Disabilities During Secondary School: A Report From the National Longitudinal Transition Study-2 (NLTS2)*. Menlo Park, CA: SRI International; Schwab, S. (2015). Social dimensions of inclusion in education of 4th and 7th grade pupils in inclusive and regular classes: Outcomes from Austria. *Research in Developmental Disabilities*, 43–44, 72–79. <http://doi.org/10.1016/j.ridd.2015.06.005>; Sumi, C., Marder, C., & Wagner, M. (2005). The Social Adjustment of Elementary and Middle School Students with Disabilities. In *Engagement, academics, social adjustment, and independence: The achievements of elementary and middle school students with disabilities*. Menlo Park, CA: SRI International. Retrieved from http://www.seels.net/designdocs/engagement/05_SEELS_outcomes_C5_10-3-05.pdf; Wiener, J., & Tardif, C. Y. (2004). Social and Emotional Functioning of Children with Learning Disabilities: Does Special Education Placement Make a Difference? *Learning Disabilities Research & Practice*, 19(1), 20–32. <http://doi.org/10.1111/j.1540-5826.2004.00086.x>;

⁷ Baer, R. M., Daviso, A. W., Flexer, R. W., Queen, R. M., & Meindl, R. S. (2011). Students With Intellectual Disabilities: Predictors of Transition Outcomes. *Career Development for Exceptional Individuals*, 885728811399090. <http://doi.org/10.1177/0885728811399090>; Kirjavainen, T., Pulkkinen, J., & Jahnukainen, M. (2016). Special education students in transition to further education: A four-year register-based follow-up study in Finland. *Learning and Individual Differences*, 45, 33–42. <http://doi.org/10.1016/j.lindif.2015.12.001>; Schifter, L. A. (2015). Using Survival Analysis to Understand Graduation of Students With Disabilities. *Exceptional Children*, 14402915619418. <http://doi.org/10.1177/0014402915619418>;

⁸ Gandhi, A. G. (2007). Context Matters: Exploring relations between inclusion and reading achievement of students without disabilities. *International Journal of Disability, Development and Education*, 54(1), 91–112. <http://doi.org/10.1080/10349120601149797>; Kalamouka, A., Farrell, P., Dyson, A., & Kaplan, I. (2007). The impact of placing pupils with special educational needs in mainstream schools on the achievement of their peers. *Educational Research*, 49(4), 365–382. <http://doi.org/10.1080/00131880701717222>; Peltier, G. (1997). The effect of inclusion on non-disabled children: A review of the research. *Contemporary Education*, 68(4), 234; Ruijs, N. M., & Peetsma, T. T. D. (2009). Effects of inclusion on students with and without special educational needs reviewed. *Educational Research Review*, 4(2), 67–79. <http://doi.org/10.1016/j.edurev.2009.02.002>; Salend, S. J., & Duhaney, L. M. G. (1999). The Impact of Inclusion on Students With and Without Disabilities and Their Educators. *Remedial and Special Education*, 20(2), 114–126. <http://doi.org/10.1177/074193259902000209>; Staub, D., & Peck, C. A. (1995). What Are the Outcomes for Nondisabled Students? *Educational Leadership*, 52(4), 36–40.



Protecting Civil Rights in a Changing Landscape

Diversity, Equity, and Inclusion (DEI) initiatives are closely aligned with federal civil rights laws, and current efforts to oppose these initiatives are intended to limit civil rights protections, undermine the LRE mandate contributing to unnecessarily restrictive placement, and threaten the core promise Congress embedded in IDEA that:

“Special education can become a service for such children rather than a place where such children are sent.” (20 U.S.C. § 1400(c)(5)(C))

Protect and Advance the LRE Mandate

IDEA’s civil rights protections must remain both to protect and advance student rights. Actions you can take include:

1. Protect Congress’s Intent

It is critical to keep the statutory requirement that students be educated **in the general education classroom to the maximum extent possible**.

2. Oppose Efforts to Weaken LRE

Challenge proposals that:

- Redefine LRE
- Promote segregation
- Undermine inclusion under the guise of “choice” or “safety”
- Use anti-DEI rhetoric to erode civil rights

3. Advance Full Federal Funding

Insufficient funding can contribute to unequal educational outcomes and lead to inappropriate placements. We advocate for the federal government to meet its long-promised 40% funding commitment.

4. Training Advocates, Attorneys, and Parents

To equip stakeholders with the tools to:

- Understand LRE requirements, identify unlawful practices, negotiate appropriate support, ensure IEPs are ambitious and inclusive, and hold districts accountable.



Connect and Mobilize

- **Advocate for systemic practices** that support evidence based and successful placement in the LRE.
- **Center equity and inclusion** in every advocacy conversation.
- **Push back** when the LRE is mischaracterized as optional or a concept that follows the child.
- **Demand evidence** when districts propose more restrictive placements.
- **Educate communities** about the benefits of inclusion for all students.
- **Join our network at copaa.org** to strengthen IDEA implementation nationwide.



COPAA is where the movement for education equity gains its strength.

We unite advocates of all forms to defend the civil rights of children with disabilities and their families, ensuring no one fights alone. Across the country, families are often the first line of defense when schools fall short of their obligations. Advocates walk beside them, and attorneys bring unmatched expertise to the fight for civil rights. Too often, this work happens in isolation. COPAA changes that. A 3,600+ strong network of parents, students, advocates, attorneys, and allied professionals, we connect and equip those on the front lines through structured learning, community support, and systemic advocacy. Together, we push schools to uphold children's and family's rights and create environments where every student is seen, supported, and set up to thrive.

Join Us.

Visit www.copaa.org to learn more