

# Disability Rights Florida

## Inclusion: Advocating for Least Restrictive Environment and Navigating the New Florida Diploma Options

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Disability Rights  
FLORIDA

Advocacy. Equality. Dignity.

# Disability Rights Florida

- Funding, responsibility, and authority under eight federal programs to protect the rights of Floridians with disabilities.
- A not-for-profit corporation since 1987.
- Offices in Tallahassee, Tampa and Hollywood.
- Satellite offices in several other communities.



# Our Mission

To advance the quality of life, dignity, equality, self determination, and freedom of choice of persons with disabilities through collaboration, education, advocacy, as well as legal and legislative strategies.



# We Will Cover

- Least Restrictive Environment and Inclusion
- The Continuum of Services and Placement Decision
- Access Points and LRE
- Changes to the Florida Diploma Options





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LRE

# What is LRE?

- Least Restrictive Environment (LRE) depends upon the student.
- IDEA does not require that every student with a disability be placed in the regular classroom.
- Districts must make available a range of placement options to meet the unique educational needs of students with disabilities.



# What Does the Law Say About LRE?

- To the maximum extent appropriate school districts must educate students with disabilities in the regular classroom with appropriate aids and supports.
- Students should be with their non-disabled peers in the school they would attend if not disabled, unless the student's IEP requires otherwise.



# What is Inclusion?

- The practice of educating students with and without disabilities together without regard to abilities and readiness.
- Inclusion is not included in the IDEA, but is defined in Florida Statutes.





# Florida Statute 1003.57(1)(a)2

A school district shall use the term “inclusion” to mean that a student is receiving education in a general education regular class setting, reflecting natural proportions and age-appropriate heterogeneous groups in core academic and elective or special areas within the school community



# Florida Statute 1003.57(1)(a)2

... a student with a disability is a valued member of the classroom and school community, the teachers and administrators support universal education and have knowledge and support available to enable them to effectively teach all children, and a teacher is provided access to technical assistance in best practices, instructional methods, and supports tailored to the student's needs based on current research.





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# The Continuum of Services and Placement Decision

# What is the continuum of services?

- The continuum of services:
  - A general education classroom;
  - A general education classroom with supports and services
  - A self-contained classroom
  - A separate school
  - In the hospital or in the home



# Placement is not Location

- Placement means where on the continuum
- Location means the school site, classroom, or physical building
- IDEA does not require a placement team to identify the particular site or specific classroom



# Who is involved?

- The IEP team:
  - Parent or Legal Guardian
  - Student
  - General Education Teacher
  - Special Education Teacher
  - Representative from the LEA



# The Determination

- How does the student's disability affect progress in the general curriculum?
- What is the least restrictive environment in which the student can make progress on their IEP goals with supports and services



# Determination Cont'd

- Do the measurable annual goals appropriately address the student's academic, social, emotional, behavioral, communication, physical, and career needs?
- What supplementary aids and services, program modifications or supports for school personnel are necessary?





# Determination Cont'd

- Will the student satisfactorily achieve the goals and objectives or benchmarks in the IEP if the student is educated in the general education classroom with the support of supplementary aids and services?
- Are the student's needs for interaction with peers without disabilities appropriately addressed?
- How will the student have opportunities to participate in non-academic and extracurricular activities?



# Factors NOT to Consider

- LRE is **not** one size fits all.
- LRE decisions may not be based on:
  - Exceptionality
  - Space in a program
  - Administrative convenience
  - Configuration of the service delivery system
  - Cost or funding



# Documenting LRE

- The IEP must include an explanation of the extent to which a student will be removed from participation in the general education classroom (or from activities with non-disabled peers)
- If the IEP team recommends that a student be removed from the general education environment, the IEP should indicate why the removal is necessary.



# What if I disagree?

- IDEA's procedural safeguards:
  - Mediation
  - Due Process
  - State Complaint
- Exception for center schools
  - **Must** have consent of parent or legal guardian





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**Access Points and LRE**

# What are access points?

- A way for students with a **significant cognitive disability** to access to the general curriculum.
- A way to reflect the core intent of the Florida Standards with a reduced level of complexity.
- Set up in three complexity levels
  - Participatory
  - Supported
  - Independent



# The Determination

- Only students with significant disabilities
- Students who meet criteria for alternative assessments



# Factors to Consider

- Significant Cognitive Disability:
  - Psychological assessments
  - Achievement tests results
  - Previous State-wide and District-wide test scores
  - Aptitude tests
  - Observations
  - Medical Records
  - Mental Health Assessments,
  - Adaptive Behavior Assessments
  - Language Assessments
  - School History
  - Student Response to Instruction and Intervention





# Self Contained Placement

- A student **can** work on general education standards within a “self-contained” classroom.
- A student is **not** removed the general education curriculum solely because they are not in a general education classroom.



# “Gen Ed” Placement

- A student can work on access points while in gen ed.
- A student is **not** removed from a general education classroom solely because of modifications to the curriculum.
- A student working on access points **can** participate in the general education classroom.





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# Changes to the Florida Diploma Options

# Changes

- No more special diploma
- Three Options:
  - Standard diploma
  - Deferred Standard diploma
  - Certificate of Completion



# How diploma options affect placement

- A student can work towards a standard diploma on general education standards or on access points.
- The diploma option can be revisited at any time prior to the student's graduation.



# How diploma options affect transition

- Post-secondary options
  - College or University
  - Transition and Post-Secondary programs for Students with Intellectual Disabilities.
- Vocational Rehabilitation



# Contact Info

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