

THE FEDERAL MANDATE FOR THE LEAST RESTRICTIVE ENVIRONMENT AND THE SPECIAL EDUCATION STUDENT FOR NORTH LAKE SCHOOL

Under the Individuals with Disabilities Education Act (IDEA), provision of Sec. 504 of the Rehabilitation Act of 1973, and state law, students have many legal rights to equal access to schooling and non-academic and extra-curricular activities. Under IDEA and state law, the student has a legal right to be educated in the “least restricted environment”. This right includes:

1. the right to have the child education with non-disabled children to the maximum extent possible.
2. the right to have supplementary services such as teacher consultants or other support services to make it possible for the child to remain in a regular classroom.
3. the right to a continuum or variety of services (resource room, part-time special class and so forth) so that if removal from the regular class is necessary, placement can be in the least restrictive environment.
4. the right to have placement in the school the child would attend if non-disabled in non-academic and extra-curricular services and activities, such as meals, recess, counseling, clubs, athletics, transportation and special interest groups. (Wisconsin Department of Public Instruction Guidelines)

Section 504 of the Rehabilitation Act of 1973 states:

“No otherwise qualified handicapped individual . . . shall, solely by reason of his/her handicap, be excluded in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.”

The intent of these laws is that no student will be denied participation in activities or schooling in the most normal educational environment possible, and that there will be no discrimination against the disabled in general in any area of his/her life.

Therefore it is expected that all students with disabilities will participate in homeroom, recess, meals, athletics, and regular classes to the fullest extent possible. All students with disabilities should be included in field trips and school clubs, and be given access to services available to regular education students with the opportunity to participate whenever possible.

If there are to be adaptations in the student’s participation, testing, grading, homework or other assignments, these adaptations should be written into the student’s Individual Educational Program. For example, generally students should be included in standardized testing, competency testing, statewide testing, and/or other assessment tools whenever possible. If students are not included, the IEP should designate alternative measures of assessment.

A meeting to write the draft Individual Educational Program will be held with the regular education staff so that each professional involved with the students with disabilities understands his/her role in the education of the student.

**THE FEDERAL MANDATE FOR THE LEAST RESTRICTIVE ENVIRONMENT AND
THE SPECIAL EDUCATION STUDENT FOR NORTH LAKE SCHOOL**

There shall be communication between the special education teacher and the regular education teacher(s) so that appropriate study guides can be developed, long-term assignments or alternative assignments can be completed on time, and testing or alternative means for testing can be accomplished.

IDEA
Section 504
Wisconsin Statutes Chapter 115, Subchapter V

Cross Reference: Special Education Handbook

Adopted: 10-15-97
Revised: 12-18-02

