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## **Least Restrictive Environment for IEP Work Placements for Youth in Transition**

A [June 22, 2012 letter](#) from the U.S. Department of Education Office of Special Education and Rehabilitative Services outlines how Least Restrictive Environment Requirements (LRE) under Part B of the Individuals with Disabilities Education Act (IDEA) applies to transition work placements for youth. School districts often have questions on this topic as they are required to report the extent to which all students with disabilities are educated with their nondisabled peers. Understanding how to report an integrated work placement for youth receiving transition services requires different analysis than what districts may use in calculating time spent in a classroom. This guidance is intended to clarify reporting requirements, answer questions for IEP teams and ensure that youth with disabilities are receiving transition services, including work experiences, in the most integrated setting.

### **Is an individualized education program (IEP) Team required to include work placement in a transition-age student's IEP?**

In Wisconsin, transition requirements begin no later than in the first individualized education program (IEP) that will be in effect when the child is 14. Nationwide, the age is 16. At this point, the IEP must include a statement of appropriate, measurable postsecondary goals for the child based on age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills. It also must include a description of the transition services needed to assist the child in reaching the goals. Work placement can be an appropriate transition service for a youth with a disability, but is not a required component of an IEP. An IEP team would determine whether a work placement is an appropriate transition service for the student and if so, would then be required as part of the student's IEP.

### **Must a school provide a written notice of placement for a work setting if it is included in a student's IEP?**

Yes, if a work placement is included in a student's IEP, it is considered part of the student's educational program. Therefore, parents must receive prior written notice before initiating or changing a work placement.

### **Is a work placement for a youth required to meet Least Restrictive Requirements (LRE)?**

LRE means that a student with a disability, to the maximum extent appropriate, is educated with children without disabilities. When a work placement is part of a student's IEP it must comply with LRE and thus IEP teams must consider the supplementary aids and services that could be provided to allow a youth to participate in a work placement with his or her peers without disabilities. A work placement in a segregated environment would only be determined

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as appropriate by law if the IEP team agrees that even the use of supplementary aids and services would not support a youth to participate in a work experience in a more integrated setting.

**What types of supplementary aids and services should an IEP team consider when determining a least restrictive work placement?**

Supplementary aids and services available to students with disabilities are defined generally in the law as “aids, services and other supports”. These aids and services should be based on peer reviewed research and are intended to help a student meet goals, make progress and participate with peers without disabilities. The National Secondary and Transition Technical Assistance Center has analyzed evidence-based practices to teach job skills. Their list of reviewed practices includes such things as job coaching to teach employment skills, video modeling, picture cues, and other assistive technology. These supports could be provided through a variety of funding mechanisms, including Vocational Rehabilitation (VR). The employment supports provided by VR can include Youth Transition On-the-Job Training (OJT); temporary work/internship, supported employment work trials, etc. Again, only after use of supplementary aids is discussed and considered by an IEP team would discussion of a more restrictive work placement be allowed by law.

**When the IEP team fills out the IEP questions that ask if the child will be educated in the same environment s/he would be educated if the child did not have a disability, must the IEP team consider transition work placements?**

Yes, the IEP team must consider whether the transition work placement is in a competitive job environment that includes people without disabilities that non-disabled students might also avail themselves of (e.g., internships and apprenticeship programs), or in a non-competitive sheltered environment. If the latter, the IEP team must answer this question “no” and then proceed to answer the following question on the IEP document which asks why the child cannot be educated in the general education environment with appropriate supplementary services and supports.

**How does a district accurately report on work placements for youth with disabilities?**

Educational time spent in an age-appropriate community-based work placement that includes individuals with and without disabilities should be counted as time inside the regular classroom when calculating the percentage of time spent inside the regular classroom. This is true regardless of whether special education support is provided to the student in this setting. Wisconsin’s Department of Public Instruction provides specific guidance on accurate reporting for IDEA [Indicator #5 and WI State Performance Plan \(SPP\), Indicator #20](#).

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The following example outlines how districts would count an integrated setting in a work situation:

*Educational time spent in age-appropriate community-based settings that include individuals with and without disabilities, such as college campuses or vocational sites, should be counted as time spent inside the regular classroom. For example, a job placement at McDonalds would not be considered a removal because McDonalds employs people with and without disabilities. A placement at a sheltered workshop would be a removal as this environment is exclusively for people with disabilities. A student segregated at the library or the office without contact with non-disabled peers would be considered removed from his/her non-disabled peers.*

Similar to how classroom composition is reviewed for this purpose, IEP teams must also consider the composition of the work place (whether a majority of the employees are people without disabilities) and the extent to which the other non-work periods of time at the placement are spent with people without disabilities when determining the work placement time which will be counted as “regular class room with nondisabled peers”.

### **How do State Educational Agencies monitor least restrictive environment in work placements?**

SEAs have the responsibility to monitor LRE in all settings. If there is evidence that a school district is making placements that are inconsistent with LRE, the State Education Agency will conduct a review and if there is no justification for certain segregated placements, it may assist in planning or implementing any necessary corrective action.

August 2012

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