

Legal Guidelines

Special education services are required and described by the federal Individuals with Disabilities Education Act, which was reauthorized in 2004. On the state level, special education services are governed by the Indiana Administrative Code, commonly referred to as “Article 7” was reauthorized in August 2008.

The cornerstone of both federal and state law is that each student with a disability is entitled to a free appropriate public education (FAPE). This means that special education and related services are to be provided to students with disabilities at no cost to the parent, in conformity with an individualized education program (IEP) that complies with federal and state requirements, in the least restrictive environment (LRE) and in such a manner that provides the student with equal opportunity to participate in services and activities that are available to all students.

Least Restrictive Environment

One of the hallmarks of a free appropriate public education is that special education and related services be provided in an environment that least restricts the student’s opportunity to interact with non-disabled peers. LRE is often explained as two distinct, yet clearly-related concepts: the actual setting in which a student with a disability receives special education and related services and a philosophy that a student with a disability should, to the maximum extent appropriate for that student, be educated with his or her non-disabled peers. Both the Cooperative and Hamilton Southeastern Schools support and provide a full continuum of placement options in the least restrictive environment.