

Beyond the Least Restrictive Environment Continuum: Becoming Inclusive at Hillcrest Elementary School

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EXECUTIVE SUMMARY

This case study centers on the experience of Catrina Munez, the principal of Hillcrest Elementary School in Baronsville Township. Although Principal Munez believed she was successful at promoting inclusion at Hillcrest, she was eventually forced to rethink her assumptions about how the Baronsville School District enacted placement decisions regarding students with significant disabilities. Jaden was a student with extensive educational needs whose parents won a lawsuit because the school district had not adequately provided him with all necessary support and services in his least restrictive environment. The court mandated that Jaden be allowed to attend Hillcrest, his neighborhood school. Thus, Principal Munez was challenged to lead her school toward becoming a more inclusive and welcoming place for Jaden and for all students.

INTRODUCTION

In his 1988 analysis, Taylor delved into the complexities of the legal doctrine of the least restrictive environment (LRE) principle. He shed light on the often-unavoidable predicament in which students with profound disability labels find

themselves trapped within the confines of the LRE continuum (Taylor, 1988, p. 41). The LRE concept emerged in the 1960s when professionals advocated for diverse special education placements for students with disabilities. The continuum spanned the least restrictive to the most restrictive settings (Taylor, 1998). Initially, the LRE concept was applied to the residential sector, gaining significance amid the deinstitutionalization movement. This period witnessed people move out of institutions and into a continuum of residential options increasingly embedded within local communities. During this transformative phase, notions of dependency and high support levels became conflated with more restrictive housing options, forming an integral and segregative aspect of the LRE framework. Gradually, the continuum was adopted in other disability sectors across the United States (U.S.), extending its influence into areas such as education and employment.

In education, the LRE principle was first embedded into the law through the initial version of the Individuals with Disabilities Education Act (IDEA). The LRE concept has subsequently remained unchanged through the law's various reauthorizations. Because the LRE framework has guided placement decisions for nearly fifty years, it is understandable that most states and local education authorities have created school structures and systems around the LRE concept.

According to the IDEA (2004), LRE is defined as follows:

- (i) To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
- (ii) Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. (Sec. 300.114)

Due to the dominance of the continuum approach, the term “inclusive education” does not appear in U.S. special education law. From a legal perspective, LRE essentially serves as a substitute for inclusion, despite its many conceptual shortcomings. Taylor (1998) describes “serious flaws” (p. 45) in the LRE continuum concept. For instance, a) the “LRE principle legitimates restrictive placements” (p. 45); b) it “confuses segregation and integration on the one hand with intensity of services on the other” (p. 46); and c) it is based on a “readiness model” (p. 46), which requires students to “earn the right” to move into a less restrictive setting. In other words, Taylor notes that as long as highly restrictive settings exist, the most marginalized kids will be placed in them.

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