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In This Issue:

Feature Article: <i>Least Restrictive Environment</i>	1, 2
Guest Article.....	2, 3
Ida's Corner.....	3
Book Review.....	4
Professional Development Opportunities.....	4
Classroom Activity.....	5
New Mexico's Outcomes' System.....	5

Least Restrictive Environment

By Sophie Bertrand

Mandates for educating children with disabilities as much as possible with children who do not have disabilities are firmly embedded in the Individuals with Disabilities Education Act (IDEA) under provisions for the least restrictive environment (LRE). The emphasis on LRE was reinforced with the extension of benefits of special education services to preschool-age children with disabilities and the encouragement to create integrated education opportunities for those preschoolers. LRE requirements prohibit removing children from the general education classroom, except when, due to the nature or severity of a disability, special supports and services in the general classroom are not sufficient. Children with disabilities participate in general education classes, and when they do not, their Individual Education Plans (IEPs) must provide an explanation of why not. The Individuals With Disabilities Education Improvement Act of 2004 maintained these LRE requirements.

The concept of LRE requires schools to offer a continuum of options for services. The LRE decision

considers the unique needs of each child and is based on the IEP. The IEP committee must at least consider and discuss all options before moving down the continuum to a more restrictive placement and must justify any decision to not place a child in the general education setting.

Throughout the implementation of IDEA there have often been disagreements, which have been resolved in the courts, over what LRE means for individual children. Court rulings on LRE are as individualized as children are.



There are, however, some common threads. The courts have defined LRE in accordance with the language of the IDEA – that students with disabilities should be educated with their non-disabled peers to the maximum appropriate extent. Court decisions have shown a preference for proximity to non-handicapped peers, but the decisive factor has been the provision of instruction that has a reasonable expectation to benefit the child and is tailored to the child's needs. The courts have consistently upheld the relationship between LRE and meeting the obligation of educational benefit, insisting that the child's education must appropriately address that child's needs. In some cases, a more restrictive environment was supported in the courts citing that, for some children, a general classroom may not be appropriate, even with supplemental aids and services, if the child is violent, dangerous, and disruptive, and if children are not receiving educational benefits in the general education classroom.

Least restrictive environment refers not to location but to appropriateness of the instruction offered and services needed for individual children.

Appropriateness of the educational setting relies on an IEP. "In determining the educational placement for a student, **the first line in inquiry** is whether his or her IEP can be

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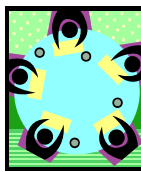
(Continued from Page 2)

- the child, whether deaf or hard of hearing, in the
- development of the IEP and when making placement
- decisions. These special considerations include:
- language and communication needs; opportunities
- for direct communication with peers and
- professional personnel in the child’s language and
- communication mode; academic level; full range of
- needs including opportunity for direct instruction in
- the child’s language and communication mode; and
- whether the child needs assistive technology devices
- and services.
- The New Mexico Deaf and Hard of Hearing
- Children’s Educational Bill of Rights was passed in
- the Spring of 2004. At that time, the New Mexico
- Public Education Department developed and now
- requires that all teams complete an addendum that
- documents a quality “Communication
- Considerations” discussion as part of the I.E.P.
- process. Professional development opportunities in
- supporting this new requirement are available
- through a joint effort between the Public Education
- Department and the New Mexico School for the
- Deaf. For more information on training
- opportunities, visit the New Mexico School for the
- Deaf’s website at www.nmsd.k12.nm.us or call
- Cindy Huff at 505-476-6418.



Ida’s Corner... *Notes from Ida Tewa,*
 619 Coordinator, Special Education Bureau, New
 Mexico Public Education Department

The Preschool Network extends a warm welcome to Ida Tewa, the new 619 Coordinator for the Special Education Bureau, New Mexico Public Education Department. Ida brings an extensive and varied early childhood and elementary education background to her new position. Her experience includes teaching for 18 years in private, public, and BIA school settings. She also served as the Head Start Director of Eight Northern Pueblos Head Start Program for 10 years. From 1998—1999, Ida was a Head Start Fellow in Washington D.C. She worked out of the Head Start Bureau during the reauthorization of Head Start and also worked in the Child Care Bureau. The Preschool Network looks forward to working with Ida to continue providing supports and services to preschool programs and school districts statewide. Ida can be reached either by phone (505) 827-1424 or via email: IdaM.Tewa@state.nm.us.



Preschool LRE-Part B/619 Community of Practice

The LRE Community of Practice is one of six discussion topic groups created by the Office of Special Education Programs. The group encourages information sharing and problem-solving among professionals.

Catherine Benitez, a program specialist at the Mountain Plains Regional Resource Center at Utah State University in Logan, is one of the community’s facilitators. For more information, go online to: www.tacomunities.org/ev_en.php/ and click on “Preschool & LRE Part B/619 Community” button on the left-hand side of the page.



An Administrator's Guide to Preschool Inclusion

Wolery, R.A., & Odom, S.L. (2000).
University of North Carolina, FPG
Child Development Center, Early
Childhood Research Institute on
Inclusion: Chapel Hill, NC.

**BOOK
REVIEW**

This guide presents practical strategies to addressing barriers and roadblocks that can arise when setting up as well as in maintaining inclusive programs. It includes a workbook with helpful tools designed to support administrators. Some of these tools include models and tools for collaboration including team-planning worksheets, action plans to facilitate co-teaching,

and sample forms for itinerant specialists. Other tools and resources in this guide for those in the planning stages include a discussion on costs and financing, working with families, and systems change. It also provides organizational contexts for preschool inclusion in public school programs, in community-based childcare programs, and in Head Start.

For already established inclusive programs, the guide provides quality indicators as well as a checklist to evaluate quality. It also addresses staff development, including an in-service needs and interests inventory. In conclusion, this guide is an excellent resource for any administrator either looking to build an inclusive preschool program, in the process of building an inclusive program, or already maintaining established programs.



Professional Development Opportunities

Check out the early childhood training calendar on the CDD Early Childhood Division website at:
<http://cdd.unm.edu/ec/calendar.html>

NMAEYC Annual Spring Conference—Hidden Communications: Do We Understand Each Other? Saturday, March 4, 2006 at the Albuquerque Convention Center. For more information, contact Bobbie Bailey at (505) 823-1351 or 1-877-744-KIDS or visit the website at: www.nmaeyc.org/Conference.htm. Scholarships available.

The Least Restrictive Environment: Building a Continuum of Options in Preschool. March 10, 2006 in two locations via videoconferencing technology—University of New Mexico, Gallup and Clovis Community College from 9 am to 12 pm. Please contact Melanie Barnhart at (505) 272-9924 or mbarnhart@salud.unm.edu, to register or for more information.

The Infancy & Early Childhood Training Course. April 28, 29, 30, May 1, 2006 at Hilton Mclean in Tysons Corner, Virginia (adjacent to Washington, D.C.) For more information or to register, visit the website at: <http://www.stanleygreenspan.com>.

Impact of the No Child Left Behind Act on Special Education in New Mexico. May 12, 2006 in Albuquerque, NM. To register or for general questions, call (866) 352-9539. Or go online to: www.lorman.com

Supporting Children's Literacy. April 22, 2006 from 9 am to 11 am at Luna Community College, Las Vegas, NM. To register call toll free 1-866-209-6116. For more information, contact Leigh Fernandez by phone (505) 428-1703 or by email, lfernandez@santa-fe.cc.nm.us.



Classroom Activity



Paper Making

1. Children will need to use screened frames for their paper.
 - Use an old wooden picture frame or a square wooden molding (@ $\frac{3}{4}$ inch); or
 - Make frames using tongue depressors or wood cut in @ 6 inch lengths, stapled the frame together.
 - Staple screening over the top of the wooden frame.
 - Cover screen edge with masking tape for safety.
2. Have children tear or cut paper into small pieces.
(Tearing the paper is a good activity for children who have fine motor concerns and who struggle with using scissors. It is also motivating for children needing practice cutting with adaptive or regular scissors.)
3. Have the children place the torn paper in a container of water. Cover and soak the pieces for about 3 days.
4. Have the children rinse the wet paper (pulp) in clear water, then place the screened frame into the pulp/water mixture and lift it out. The wet pulp will lie on the top of the frame. As the children hold the frame above the water, the excess water will drain through the screen.
5. Have the children carry the frame to a table and blot the pulp down onto a towel where it will dry for a day.
6. Textures such as threads, seeds, leaves, etc. can be added to the pulp. Glitter, sequins, string, leaves, etc. can be pressed into the wet paper. Seashells, coins, buttons etc. can be used to leave an image by pressing them into the wet paper.

Children will then have their own paper piece to decorate, paint, or draw on.

New Mexico's Early Childhood Outcome's System

The New Mexico Early Childhood Outcomes Stakeholder Group with support from the National Early Childhood Technical Assistance Center (NECTAC) has been working to design an outcome measurement system for New Mexico. This is a collaborative effort between the New Mexico Department of Health Family Infant Toddler Program and the New Mexico Public Education Department, Special Education Bureau, 619 Preschool Program. New Mexico will be reporting to the Office of Special Education Program children's progress in the following areas:

1. Children have positive social/emotional skills including positive social relationships;
2. Children acquire and use knowledge and skills including early language and communication; and
3. Children use appropriate behavior to meet their needs.

Information about the national early childhood outcomes initiative can be found at the Early Childhood Outcomes Center at www.the-ECO-center.org.



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