



**Los Angeles County  
Office of Education**

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January 16, 2007

To: Educational Programs

From: Compliance Support Services

**Topic: Compliance Information Bulletin Number 1  
Parents Choosing Placement**

Placement is a determination of where a pupil's IEP will be implemented.

Placement decisions for children with disabilities must be made consistently with 34 C.F.R. § 300.552. Placement decisions must be based on, and consistent with the pupil's IEP. The three major requirements are:

- ◆ A group of persons (**A group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options: make placement decisions. 34 C.F.R. § 300.552(a)(1)**). Like formulation of an IEP, a placement decision is not a unilateral matter for school district determination 34 C.F.R. § 300.552(a)(1).
- ◆ The least restrictive environment (LRE) mandate governs selection of the appropriate placement. 34 C.F.R. § 300.552(a)(2)
- ◆ Unless the IEP necessitates other placement, the pupil should be educated in the school he/she would attend if he/she were not disabled, or, in any event, the pupil should be educated as close as possible to his/her home. 34 C.F.R. § 300.552(b)(2), (c).

A placement decision is not and does not need to be a determination of the specific classroom within the designated school or other facility or specific teachers. While such decisions may be made by the child's multidisciplinary (placement) team, the IDEA also permits school districts to treat these matters as administrative decisions to be made by school personnel. *Letter to Wessels*, 16 EHLR 735 (OSEP 1990).

Because no one factor can be dispositive of a placement decision, it is clear that parental preference can be neither the sole nor predominant factor in a placement decision. Even though the 1997 IDEA Amendments now mandate parental participation in placement decisions, 34 C.F.R. § 300.522(a)(1), there is no suggestion that parental preference should be given any more weight than it was accorded under prior law, even when the parent challenges the placement in a due process complaint.

...Nevertheless, a school district gravely jeopardizes itself if it allows parents' personal beliefs or preferences about the educational benefits of inclusion to play a role in placement decisions.

*The Answer Book on Special Education Law, Third Edition by Susan Gorn. LRP Publications*

Attachment

GML:jh

\* Regulations by Section and Attachment 1 (Analysis of Comments and Changes)

**Subpart E-Procedural Safeguards  
Least Restrictive Environment (LRE)**

**§300.552 Placements.**

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency shall ensure that-

(a) The placement decision-

(1) Is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and

(2) Is made in conformity with the LRE provisions of this subpart, including §§300.550-300.554;

(b) The child's placement-

(1) Is determined at least annually;

(2) Is based on the child's IEP; and

(3) Is as close as possible to the child's home;

(c) Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled;

(d) In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs; and

(e) A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

(Authority: 20 U.S.C. 1412(a)(5))