

education of the other students because of behavior or other issues, this may not be the appropriate placement for that student. The primary concern is that schools are providing FAPE for all students with disabilities. When it doesn't work for a student to continue in a general education classroom the requirements of FAPE and LRE seem to conflict. However, it is the schools first concern to provide the students with FAPE, LRE is secondary, which is why a continuum is required.

- **Violations of LRE:** A school district violates LRE when they don't make an effort to educate students in the general education classroom; they violate FAPE. For example, in the case *Roncker v. Waler* (1983) a young boy named Neil Roncker was denied education in the general education classroom. Neil is a 9-year-old boy who has moderate mental retardation. His parents believed that he was able to participate in a general education classroom with special education services. They believed that he would benefit from the contact and socialization with his peers. However, the school district believed that Neil should be placed in a special school for children with disabilities. The U.S. District Court for the Southern District of Ohio ruled in favor of the school district. Meaning they agree that Neil should be placed in a special school for children with disabilities. The court decided that Neil had not made significant progress while integrated, or being a part of, the general education classroom.
 - It is the schools obligation to determine if the modification that is required by the LRE can be attainable in the school the student currently attends. If it they are attainable then it is mandated that the school must provide these services. If it is not then the school can look at the other options.

4. IEP

- An individualized education program (IEP) creates free and appropriate education (FAPE) for student with disabilities. IDEA requires for all students who are identified by IDEA. There are several procedural requirements that schools must follow in order for a student to receive an appropriate IEP. They are as follows;
 - Notice to parents
 - Follow timeline
 - Involve parents
 - Conduct appropriate evaluations
 - All necessary people attend IEP meetings
 - Correct content in IEP
 - IEP is implemented as written
- **IEP Development:** It is extremely important that procedural requirements of the IEP are followed, if they are not an IEP can be deemed inappropriate. If a violation occurs a due process hearing officer will determine if the IEP is invalid or not.
- **IEP Planning:** The process of developing and IEP begins after a student has been referred, an evaluation has been done, and the student has been determined eligible for special education. Once a student has been determined as eligible it is the schools responsibility to have the IEP team meet within 30 days to develop the IEP. This time limit ensures that there is no delay between when a student is determined eligible and when the plan starts. During the meeting to develop the IEP the students evaluations, current records and relevant information, have to be reviewed. IDEA does not require specific time limits in which the IEP must be implements, however, the Office of Special Education Programs (OSEP) indicates that a delay is not permissible.
- **The IEP Team:** There are specific people that IDEA requires to attend IEP meetings. These individuals include; the student's parents or guardians, a special