



State of New Jersey
DEPARTMENT OF EDUCATION
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER D. CERF
Acting Commissioner

May 7, 2012

TO: Chief School Administrator
Director of Special Education
Administrator of a State Facility
Administrator of a Charter School
Administrator of an Approved Private School for the Disabled
Administrator of a College-Operated Program
Statewide Special Education Advisory Council
Agencies or Organizations Concerned with Special Education

FROM: Peggy McDonald, Director
Office of Special Education *Peggy McDonald*

SUBJECT: Least Restrictive Environment Requirements for Preschool Children

I am writing to bring to your attention a guidance document issued by the United States Department of Education, Office of Special Education and Rehabilitative Services (USDE OSERS) on February 29, 2012, which addresses the application of section 612(a)(5) of the Individuals with Disabilities Education Act (IDEA) to the placement of preschool children with disabilities. In the letter, USDE OSERS reiterates that the least restrictive environment requirements of the IDEA apply to all children with disabilities who are served under Part B. This includes preschool children with disabilities ages three through five. The guidance can be viewed in its entirety at:

<http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/preschoollre22912.pdf>

A link to this letter is available on the New Jersey Department of Education's website at:

<http://www.nj.gov/education/specialed/memos/>

If you have any questions regarding the implementation of these provisions, please contact Pam Brillante (Bergen, Essex, Hudson, Morris, Passaic, Sussex, Warren, Hunterdon, Mercer, Middlesex, Monmouth, Ocean, Somerset and Union Counties) at 609-777-3936 or Kori Bardige (Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester and Salem Counties) at 856-582-7000 ext. 155.

PM/JW/KE

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| c: Members, State Board of Education | Kathy Ehling |
| Acting Commissioner Christopher Cerf | Pam Brillante |
| Andrew Smarick | Kori Bardige |
| Barbara Gantwerk | Executive County Superintendent |
| Senior Staff | County Supervisor of Child Study |
| Diane Shoener | NJ LEE Group |
| John Worthington | Garden State Coalition of Schools |