

Issue Brief: Least Restrictive Environment June 2024

The principle of “Least Restrictive Environment” (LRE) is foundational to the Individuals with Disabilities Education Act (IDEA). Students with disabilities “to the maximum extent appropriate” must be “educated with children who are nondisabled,” “in the school that he or she would attend if nondisabled.” A student’s placement must be determined annually, based on their IEP, by a group that includes the parents, and should be “as close as possible to the child’s home.” A student should only be removed from the regular classroom environment “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” and cannot be removed “solely because of needed modifications in the general education curriculum.” IDEA also requires that when selecting a placement, IEP teams must consider “any harmful effect on the child or the quality of services that he or she needs.”¹

State Responsibilities

Under the LRE provisions of IDEA, the State Education Agency must have policies and procedures to ensure that:

- Local Education Agencies (LEAs) meet the LRE requirements;
- the state funding mechanism does not result in placements that violate LRE provisions;
- technical assistance and training fully informs teachers and administrators about their responsibilities for implementing the LRE requirements; and
- state monitoring ensures that LEAs meet the requirements and directs any necessary corrective action.

Maryland Context

Prior to the 1975 passage of the federal Education for All Handicapped Children Act (which became IDEA), Maryland was “one of the first states mandated [through a state law and then court action] to provide educational services for children with disabilities.” But as a 2003 report produced by a project of the Maryland Developmental Disabilities Council pointed out, “we pay a hefty price today for that leadership. Maryland moved quickly forward by building special schools and programs throughout the state to provide special education services. The result is that today, Maryland is one of the most segregated states in the nation for students with disabilities.”² According to 2022-23 data among the 50 states and DC, Maryland’s:

- combined rate of LRE A (serving students with disabilities in regular classrooms for 80% or more of the day) and LRE B (40–79% of the day in regular classrooms) is 81.46%, ranking it 41st;

¹ See links to all Least Restrictive Environment (LRE) provisions, Sec. 300.114–200 at: US Department of Education, IDEA, [Subpart B—State Eligibility](#). Text can also be found in this document’s Appendix.

² The Special Education Leadership Project (January 2003). [Inclusive Education in Maryland: A Blueprint for Change](#). A report on Least Restrictive Environments (LRE) for students with developmental disabilities receiving special education services in Maryland. Maryland Developmental Disabilities Council, The Arc Maryland, Maryland Coalition for Inclusive Education, Maryland Disability Law Center, Mid-Atlantic Chapter of TASH.

- rate of LRE C (less than 40% of the day in regular classrooms) is 11.34%, 19th highest in the country; and
- has the 6th highest rate of placing students with disabilities in separate (public and nonpublic) schools (5.54%).³

Variability in Placement Data

The rate of including students with disabilities in general education classrooms has increased over time in Maryland (though as noted above, it is well behind many other states). The progress that has been made has not been equally shared among students in different disability categories and racial groups, or across all LEAs.

There is significant variation evident in placement data: among the LEAs (Table 1); by disability category (Table 2); and by race (Table 3). Students who take the alternate assessment are the most segregated (Table 4).⁴ Students with disabilities who are also multi-lingual (ML) learners are more likely to be in LRE A than non-ML disabled students, and are less likely to be in separate classrooms or separate schools (see Table 5).

³ Source: U.S. Department of Education, EDFacts Data Warehouse (EDW): “IDEA Part B Child Count and Educational Environments Collection,” 2022-23. Data extracted as of August 30, 2023 from file specifications 002 and 089.

⁴ This segregation persists despite MSDE’s work from 2018–2023 with the [TIES Center](#), an OSEP-funded technical assistance center focused on inclusive practices for students with the most significant cognitive disability.

Table 1: Educational Environments of Maryland’s Students with Disabilities, By LEA (Oct 23) (%)⁵

	80% or more of day in Regular Classroom (LRE A)	40–79% of day in Regular Classroom (LRE B)	Less than 40% of day in Regular Classroom (LRE C)	Separate Public Day	Separate Private Day
Statewide	73.9	9.4	11.3	2.1	3.4
Allegany	85.9	1.5	8.8	0.0	3.4
Anne Arundel	76.7	8.1	7.3	3.4	4.4
Baltimore City	63.6	14.4	17.2	2.3	2.2
Baltimore	67.9	14.2	10.7	1.8	4.3
Calvert	82.7	6.5	7.3	1.5	1.7
Caroline	81.1	6.9	12.0	0.0	0.0
Carroll	81.0	10.3	6.2	0.3	2.0
Cecil	88.0	4.0	4.9	0.0	2.4
Charles	62.1	21.7	14.5	0.0	1.4
Dorchester	81.0	10.9	5.6	0.0	2.0
Frederick	84.4	4.1	7.9	1.2	2.1
Garrett	88.4	5.0	5.7	0.0	0.6
Harford	85.1	3.9	4.7	2.2	3.8
Howard	73.8	17.1	2.2	3.0	3.8
Kent	85.0	2.7	10.0	0.0	0.9
Montgomery	70.6	9.4	15.3	1.7	2.8
Prince George’s	73.3	3.1	15.8	2.0	5.8
Queen Anne’s	82.2	6.6	9.5	0.0	1.3
Saint Mary’s	80.1	9.2	9.5	0.0	1.0
Somerset	83.8	7.5	7.5	0.0	0.3
Talbot	83.1	5.4	9.7	0.0	1.7
Washington	81.3	4.0	10.3	1.3	2.5
Wicomico	82.1	8.4	9.3	0.0	0.0
Worcester	89.0	3.8	3.2	3.9	0.0

LEAs with highest rates of LRE A and lowest rates of LRE C, Separate Public and Nonpublic School Placements are shaded GREEN. LEAs with lowest rates of LRE A and highest rates of Separate Public and Nonpublic School Placements are shaded ORANGE.

⁵ Maryland Early Intervention and Special Education Services Census Data & Related Tables, 2023-2024 School Year.

Table 2: Educational Environments of Maryland’s Students with Disabilities, by Selected Disability Codes (2023-24) (%)⁶

	80% or more of day in Regular Classroom (LRE A)	40–79% of day in Regular Classroom (LRE B)	Less than 40% of day in Regular Classroom (LRE C)	Separate School
All Students with Disability	72.5	9.2	11.1	5.6
Autism	44.3	13.0	30.8	11.2
Emotional Disability	57.7	10.0	12.9	17.4
Intellectual Disability	23.2	26.0	43.9	6.1
Multiple Disabilities	44.5	11.7	17.2	24.4
Other Health Impairment	82.8	8.7	4.9	2.3
Specific Learning Disability	88.6	8.3	1.4	0.7
Speech/Language Impairment	93.5	1.4	0.2	0.2

Note: Data include LEAs and PAs

Disability categories with lowest rates of LRE A and highest rates of LRE C and Separate School Placements are shaded **ORANGE**

Table 3: Educational Environments of Maryland’s Students with Disabilities, by Race (Oct 2023) (%)

	80% or more of day in Regular Classroom (LRE A)	40–79% of day in Regular Classroom (LRE B)	Less than 40% of day in Regular Classroom (LRE C)	Separate Public Day	Separate Private Day
All Students with Disability	72.5	9.2	11.1	2.2	3.4
American Indian/Alaska Native	73.1	9.1	11.3	2.2	2.9
Asian	63.2	11.4	17.5	3.9	2.7
Black/African American	67.1	11.4	14.4	2.2	3.9
Native Hawaiian/Other Pacific Islander	65.7	9.3	21.3	0.00	3.7
White	77.9	6.7	6.6	1.9	3.8
Hispanic/Latino	75.7	8.8	11.2	1.8	1.6
Two or More Races	75.1	8.8	8.7	1.8	4.0

Note: Data include LEAs and PAs

Racial categories with highest rates of LRE C and Separate Public and Nonpublic School Placements are shaded **ORANGE**.

⁶ Source: Maryland Early Intervention and Special Education Services Census Data & Related Tables, 2023-2024 School Year

Table 4: Educational Environments of Students Who Are Eligible for the Alternate Assessment, by LEA (2023-24) (%)⁷

	80% or more of day in Regular Classroom (LRE A)	40–79% of day in Regular Classroom (LRE B)	Less than 40% of day in Regular Classroom (LRE C)	Separate Public Day	Separate Private Day
Statewide	3.2	12.7	62.4	11.8	8.6
Allegany	8.2	11.0	58.9	*	21.9
Anne Arundel	*	12.8	54.9	28.6	2.3
Baltimore City	1.1	3.2	66.4	16.9	11.3
Baltimore	4.4	9.4	58.2	13.7	11.2
Calvert	6.5	29.3	46.7	9.8	5.4
Caroline	*	34.1	65.9	*	*
Carroll	*	33.1	47.1	5.8	12.8
Cecil	15.7	31.5	42.6	*	8.3
Charles	4.3	11.4	75.7	*	7.6
Dorchester	6.1	72.7	9.1	*	9.1
Frederick	6.5	22.9	51.4	11.5	5.9
Garrett	*	33.3	66.7	*	*
Harford	4.5	23.6	35.5	22.6	12.2
Howard	8.0	60.9	12.7	16.7	1.4
Kent	*	*	81.8	*	9.1
Montgomery	1.8	6.3	78.6	6.9	5.5
Prince George's	1.4	1.7	68.8	15.4	12.6
Queen Anne's	1.9	14.8	72.2	*	11.1
Saint Mary's	*	20.2	73.0	*	3.7
Somerset	8.5	34.0	53.2	*	*
Talbot	*	19.4	77.4	*	3.2
Washington	6.6	12.8	68.9	7.3	4.0
Wicomico	*	32.1	67.2	*	*
Worcester	23.2	16.1	19.6	39.3	*

⁷ Maryland Online Special Services Information System (SSIS)

Table 5: Educational Environments of Maryland’s Students with Disabilities, Emerging Multilingual Learners (ML) vs. Non-Multilingual Learners (Non-ML) (2022-23) (%)⁸

	80% or more of day in Regular Classroom (LRE A)	40–79% of day in Regular Classroom (LRE B)	Less than 40% of day in Regular Classroom (LRE C)	Separate School
ML SWD	77.2	10.8	9.8	1.9
Non-ML SWD	71.2	9.3	11.6	6.1

Research on Placement

Decades of research indicate that educating students with disabilities in general education classrooms alongside non-disabled peers results in higher academic achievement, better long-term outcomes, and benefits non-disabled peers.⁹ The research literature has identified these benefits for all students with disabilities, including who are most frequently placed in more restrictive educational environments (e.g., students with the most significant cognitive disabilities,¹⁰ with emotional disability/conduct disorders¹¹). The evidence suggests that “more students can and should be included than presently are in our schools and that a more rigorous monitoring of the district, school, classroom, and student factors and characteristics that interact in predictable ways to influence this process should be undertaken.”¹²

While IDEA is specific that placement decisions should be rooted in characteristics of the child and the level of their support needs (“the nature and severity of the disability”), research indicates that external factors (e.g., location, locally available resources, provider expertise, local policy, philosophy and practices, distance from special schools) often are significant in these decisions.¹³ The variability evident across LEAs and for different disability codes reinforces this conclusion.

⁸ U.S. Department of Education, ED Facts Data Warehouse (EDW): “IDEA Part B Child Count and Educational Environments Collection,” 2022-23. Data extracted as of August 30, 2023 from file specifications 002 and 089.

⁹ See: Hehir, T. et al. (2016). [A Summary of Evidence on Inclusive Education](#). Abt Associates. SWIFT (2017). [Research Support for Inclusive Education and SWIFT](#). National Council on Disability (2018). [The Segregation of Students with Disabilities](#) (IDEA Series). As well as: specific recent studies on academic and high school outcomes like Cole, S.M., Murphy, H.R., Frisby, M.B., & Robinson, J. (2022). The relationship between special education placement and high school outcomes. *The Journal of Special Education*. Cole, S.M., Murphy, H.R., Frisby, M.B., Grossi, T.A., & Bolte, H.R. (2021). The relationship of special education placement and student academic outcomes. *The Journal of Special Education*, 54(4), pp. 217–227.

¹⁰ Kleinart, H. Towles-Reeves, E., Quenemon, R., Thurlow, M., Fluegge, L., Weseman, L., & Kerbel, A. (2015). Where students with the most significant cognitive disabilities are taught: Implications for general curriculum access. *Exceptional Children*, 81, 3, pp. 312-28. Kleinart, H., & Kearns, J. (2022). Reconsidering LRE: Students with the most significant cognitive disabilities and the persistence of separate schools. TIES Center.

¹¹ Powers CJ, Bierman KL, Coffman DL. [Restrictive educational placements increase adolescent risks for students with early-starting conduct problems](#). *J Child Psychol Psychiatry*. 2016 Aug;57(8):899-908.

¹² Cole et al. (2021), p. 7.

¹³ Kurth, J. A. (2015). [Educational placements of students with autism: The impact of state of residence](#). *Focus on Autism and Other Developmental Disabilities* 30,4 (pp. 249–256). Bowman, J. A., Wu, Y., Wakeman, S., Ghere, G., & Johnson, H. (2024). [Separate school placement for students with extensive support needs](#)

Educational researcher Michael Giangreco notes: “For every student who remains educationally segregated there are other students with similar attributes, abilities, and needs who are successfully included. This simple fact suggests that whether a student with a disability is meaningfully included may have less to do with their characteristics and more to do with the attitudes, skills, structure, and practices of the adults responsible for providing education.” Evidence-based practices exist to support students with communication support needs, with challenging behaviors, and who require significant modification to assignments and curriculum in general education classrooms, but staff with the knowledge, expertise, support, and time to implement these practices are needed to do so. In addition, school cultures that support the belonging of all students and high expectations for students with disabilities are essential.

While placement decisions are required to be revisited annually, “students rarely transition from one placement to another; all too often, placement decisions have a long-lasting impact.”¹⁴ While some researchers call into question “full inclusion,”¹⁵ there is no available research that indicates that segregated placements (separate classrooms or separate schools) produce better academic, social, or long-term outcomes for students with disabilities.

Separate Schools

For decades, Maryland has ranked among the top five states with respect to rates of placing students with disabilities in separate special education schools. These placements in Maryland are split between public (2,184, 2.13%) and nonpublic (3,564, 3.47%) separate schools.¹⁶ Despite the passage of the Teacher Pay Parity Act in 2023, which will make salaries for educators in Maryland’s nonpublic schools commensurate with those in public schools over the next three years, special educator shortages are even more of a challenge for nonpublic schools; about one-quarter of special educators at Maryland’s nonpublic special education schools are conditionally certified, which far exceeds the rates of conditionally certified special educators in the state (11.6%).¹⁷

[and the potential impact of locale and charter school enrollment](#). *The Journal of Special Education* (pp. 1–12). Ebenbeck, N., Rieser, J., Jungjohann, J., & Gebhardt, M. (2022). [How the existence of special schools affects the placement of students with special needs in inclusive primary schools](#). *Journal of Research in Special Educational Needs* 22, 3 (pp. 274–287).

¹⁴ Kurth, J. A. (2015). [Educational placements of students with autism: The impact of state of residence](#). *Focus on Autism and Other Developmental Disabilities* 30,4, p. 255.

¹⁵ For example, Fuchs, D., Mirowitz, H.C., & Gilbert, J.K. (2023). Exploring the truth of Michael Yudin’s claim: The more time students with disabilities spend in general classrooms, the better they do academically. *Journal of Disability Policy Studies*, 33, 4, pp. 236–252. This research analyzes placement and reading performance trends nationally over 17 years and does not find “a uniform pattern of reading performance across years” in the 10 states with the strongest positive trends for general class placement.

¹⁶ MD EI/SES Census Data & Related Tables, 2022-2023 School Year.

¹⁷ This figure was shared during a PSTEB meeting, February 2024. The rate of conditionally certified special educators overall was calculated from data made available by MSDE in April 2024 and Table 7 of [Staff Employed at School and Central Office Levels](#), October 2023. This finding is similar to research that shows that special educators in neighborhood schools were statistically significantly more qualified in terms of experience, degrees, and special education certification than special educators in public and private

The fact that 6% of Maryland’s students with disabilities are currently placed in separate schools has a number of possible impacts. LEAs, and by extension schools, administrators, and educators within the public system, may not develop capacity to educate students with particular support needs. Patterns of segregation may become standard practice, and educators and families may come to expect that students with certain profiles do not belong within public schools, perpetuating the cycle. Finally, the cost of these placements has an impact, as indicated by Table 6.

Table 6: Expenditures on Separate Nonpublic Special Education Schools, by LEA, 2021-22 ¹⁸

LEA	Total Special Education Expenditures	Nonpublic Expenditures	Nonpublic Expenditures as % of Total Special Ed Expenditure
Total State	\$ 1,907,573,642	\$ 273,450,517	14.42%
Allegany	19,318,198	2,860,165	14.81%
Anne Arundel	157,465,222	28,350,268	18.00%
Baltimore City	185,294,561	17,775,221	9.59%
Baltimore	256,743,194	55,256,169	22.07%
Calvert	30,656,077	2,052,220	6.69%
Caroline	8,081,848	816,397	10.10%
Carroll	48,115,088	5,992,797	12.46%
Cecil	31,905,760	2,194,110	6.88%
Charles	44,994,619	3,357,938	7.46%
Dorchester	7,650,718	-	0.00%
Frederick	78,126,968	9,958,462	12.75%
Garrett	4,893,625	58,323	1.19%
Harford	74,249,245	12,549,896	16.90%
Howard	157,084,961	20,710,199	13.18%
Kent	4,179,704	270,177	6.46%
Montgomery	380,228,976	46,022,097	12.15%
Prince George's	299,177,707	56,934,790	19.03%
Queen Anne's	11,417,366	1,299,911	11.39%
St. Mary's	27,262,582	2,417,475	9.27%
Somerset	5,341,633	141,804	2.65%
Talbot	7,317,404	-	0.00%
Washington	32,626,080	4,225,075	12.95%
Wicomico	21,678,815	207,023	1.00%
Worcester	13,763,293		0.00%

“exclusionary special education schools” despite the fact that families may seek them out and LEAs may place students in these schools “so they can receive skilled, specialized educational services.” Mason-Williams, L., Bettini, E., and Gagnon, J. C. (2017). [Access to qualified special educators across elementary neighborhood and exclusionary schools](#). *Remedial and Special Education* 38, 5 (pp. 297-307).

¹⁸ [Selected Financial Data Maryland Public Schools SY2021-2022](#), Part 2 Expenditures. Table 5A Expenditures for Special Education: Maryland Public Schools, 2021-2022.

Possible Ways Forward

Many of the recommendations from the aforementioned 2003 report from the Maryland Developmental Disabilities Council, *Inclusive Education in Maryland: A Blueprint for Change*,¹⁹ are still applicable today. For example:

- A State Board LRE policy that includes regular data reporting and updates from MSDE on progress in this area.
- Improvement plans that incorporate LRE targets at the state and LEA level, with opportunities for public input.
- A review of funding allocation mechanisms at the state and LEA levels to ensure they do not preference more restrictive placements.

Some of the Special Education Workgroup's previously approved recommendations, for example with respect to Staffing Plans, could be expanded to include additional oversight by MSDE on policies that create barriers for less restrictive placements. Technical assistance and guidance on appropriate standards and expectations could incorporate specific strategies for educating students with disabilities with regular classrooms, particularly those most frequently placed in the most restrictive settings.

A 2018 analysis of state policies on LRE²⁰ provides several other recommendations for states to refine how they address LRE and placement:

- Add clarity to state regulations about the preference for general education associated with LRE.
- Set higher standards for justifying removal of students from general education settings.²¹
- Provide professional development on using supplementary aids and services. Establish accountability measures for proof of implementation.
- Ensure that policies are implemented as they are intended.

Additional possibilities may include adding changes in placement to the parental consent law currently in effect for eligibility for the alternate assessment; review of nonpublic placement approval processes at the local and state levels; and data collection to measure the outcomes of students in different placements.²²

¹⁹ The Special Education Leadership Project (January 2003). [Inclusive Education in Maryland: A Blueprint for Change](#).

²⁰ White, J. M., Cosier, M., & Taub, D. (2018). [How states interpret the LRE clause of IDEA: A policy analysis](#). Minneapolis, MN: University of Minnesota, The TIES Center.

²¹ See, for example, [Harmful Effects Statements](#) from El Dorado, CA, Special Education Local Plan Area.

²² See, for example, a new Virginia law requires an annual report to the legislature on "[Outcome Data Measuring Student Progress for Students with Disabilities in Special Education Private Day Schools](#)."

Discussion Questions:

1. In your view, what are the biggest factors that contribute to the variability in LRE placement patterns:
 - among LEAs?
 - by disability?
 - by race?
 - by assessment type?
2. What standards, policies, and procedures do you think might decrease this variability in LRE placement (among LEAs, by disability, race, and assessment type) and increase placements in general education classrooms?
3. What supports can MSDE offer to increase the capacity of schools to serve students with more significant needs in general education classrooms?
4. In your opinion, what additional factors are leading to over-placement in separate classrooms and separate schools for students with disabilities? What supports do schools need to address these factors?
5. How can the expertise and specialized supports available to students in these separate schools be shared with educators in less restrictive environments to help transition students, as appropriate, back to neighborhood schools?

LRE Provisions in IDEA

300.114 LRE requirements.

(a) General.

(1) Except as provided in §300.324(d)(2) (regarding children with disabilities in adult prisons), the State must have in effect policies and procedures to ensure that public agencies in the State meet the LRE requirements of this section and §300.115 through 300.120.

(2) Each public agency must ensure that—

- (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.

(b) Additional requirement—State funding mechanism—

(1) General.

- (i) A State funding mechanism must not result in placements that violate the requirements of paragraph (a) of this section; and
- (ii) A State must not use a funding mechanism by which the State distributes funds on the basis of the type of setting in which a child is served that will result in the failure to provide a child with a disability FAPE according to the unique needs of the child, as described in the child's IEP.

(2) Assurance. If the State does not have policies and procedures to ensure compliance with paragraph (b)(1) of this section, the State must provide the Secretary an assurance that the State will revise the funding mechanism as soon as feasible to ensure that the mechanism does not result in placements that violate that paragraph.

300.115 Continuum of alternative placements.

(a) Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services.

(b) The continuum required in paragraph (a) of this section must—

- (1) Include the alternative placements listed in the definition of special education under §300.39 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions); and
- (2) Make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

300.116 Placements.

In determining the educational placement of a child with a disability, including a preschool child with a disability, each public agency must 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 §§300.114 through 300.118;

(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 education curriculum.

300.117 Nonacademic settings.

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in §300.107, each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings.

300.118 Children in public or private institutions.

Except as provided in §300.149(d) (regarding agency responsibility for general supervision of some individuals in adult prisons), an SEA must ensure that §300.114 is effectively implemented, including, if necessary, making arrangements with public and private institutions (such as a memorandum of agreement or special implementation procedures).

300.119 Technical assistance and training activities.

Each SEA must carry out activities to ensure that teachers and administrators in all public agencies—

(a) Are fully informed about their responsibilities for implementing §300.114; and

(b) Are provided with technical assistance and training necessary to assist them in this effort.

300.120 Monitoring activities.

(a) The SEA must carry out activities to ensure that §300.114 is implemented by each public agency.

(b) If there is evidence that a public agency makes placements that are inconsistent with §300.114, the SEA must—

(1) Review the public agency's justification for its actions; and

(2) Assist in planning and implementing any necessary corrective action.