



Practice Guidance: Natural Environments and Justification for Services Provided Outside of the Natural Environment

Date: August 1, 2024

Topic: Natural Environments

Audience: SPOE, Service Coordinators, Provider Agencies, Providers, and Independent Providers

Purpose

The purpose of this document is to provide guidance related to regulatory expectations regarding natural environments and to provide clarity and practice considerations related to the provision of services within settings that are not natural environments.

Overview

The Individuals with Disabilities Education Act (IDEA) Part C¹ mandates that, whenever possible, Individualized Family Service Plan (IFSP) services take place in natural environments unless the early intervention outcome cannot be achieved satisfactorily in a natural environment. If an early intervention service is not provided in a natural environment, a justification must be provided on the IFSP.

Providing services in natural environments is the law, but more importantly, it supports one of the key purposes of early intervention services: to enhance the capacity of the family in facilitating their child's development through natural learning opportunities at home or in community settings where children live, learn, and play. By using activities like mealtime, story time, playing, bath time, etc. that occur in natural settings such as home, childcare, playground as the venue for early intervention, numerous opportunities are provided for the child to learn and practice new skills in the settings in which they will be used. The provision of services in natural settings and in daily routines and activities fosters the use and development of natural supports in a family's social and cultural network, enhancing the child's growth and development while promoting the child and family's full participation in community life.

Natural environments are natural opportunities, day to day moments, and real-time learning experiences. Natural environments support the child and parent in the moment during the

¹ 34 CFR §303.126

week when services are provided in the home. The parent can reflect on that moment and say “I can do this” whenever they need to support their child during times when therapists are not available.

Providers should enhance any caregiver’s capacity to facilitate a child’s development **by working with the adult and child within natural learning opportunities using materials available in that setting**. The use of natural activities and materials may reduce the need for specialized equipment. This is different from the practice of providing services in a therapeutic or clinical setting and providing parents with handouts or suggestions to use at home.

Practice Considerations

Federal regulations² require that decisions about appropriate settings must be made by the IFSP team (including parents and other team members) and that the setting must be based on the child's functional IFSP outcomes. After the team determines which early intervention services the child and family will need to meet the functional IFSP outcomes, the team should determine where the services will be provided.

When determining if a setting is a natural environment, the following guidance should be considered.

Services to Children in Natural Environments

- **Home.** The most typically used natural environment is the home. It would include grandparents’ or other family members’ homes.
- **Community Based Natural Environments.** Children and families participate in a variety of community activities that are natural for them and which may be appropriate for service delivery. A community-based setting is one where children without disabilities are typically found such as childcare centers, libraries, parks, zoos, stores, restaurants, and community centers, etc. Locations with programs designed for all children and where most of the children who participate are typically developing are considered community-based settings. A therapeutic or clinical setting is not a community based natural environment.
- **Natural Groups.** Natural groups of children are groups that would continue to exist without children with disabilities in attendance, such as: childcare, library story time, Mommy and Me groups, and parent cooperative preschool program or playgroups. Groups that are **not** “natural groups” include: self-contained playgroups, toddler groups or childcare settings that include *only or mostly children with disabilities* or are designed specifically for children with disabilities. However, even the most “natural” of groups is not a natural setting for a particular child if it is not part of that family’s regular routine or community life. In addition, services are not considered to be provided in a natural group if the child is separated or “pulled out” from the group in order to receive

² 34 CFR §303.344(d)(1)(ii)

individual services.

- **Integrated Programs.** Programs designed exclusively for children with disabilities are **not** considered a natural environment. However, if an inclusive program was designed for all children regardless of ability, it might be considered a natural environment under certain circumstances. OSEP has provided guidance in this instance and in all of its policy letters since August 2000.

“Many center-based programs that formerly served only children with disabilities have now integrated children without disabilities, creating a child care or preschool program constituting a natural environment. If services were provided to an eligible child in such an integrated environment, the child's IFSP would not require a justification for services in that integrated setting.” (OSEP Letter to: Morris, Washington, June 7, 2005)

Service Settings NOT Considered Natural

Service settings that are not “natural settings” include: clinics, hospitals, therapists’ offices, rehabilitation centers, and segregated group settings at centers and schools. This includes any settings designed to serve children based on categories of disabilities such as “Language Groups”, “Adaptive Play Groups”, “Feeding Groups” or “Toddler Socialization Groups.”

Justification for Providing Services outside a Natural Environment

If the IFSP team determines that one or more of a child’s IFSP outcomes cannot be met by providing early intervention services in a natural setting, the IFSP must include a justification (developed by the IFSP team including the parent) for providing services outside the natural environment and a plan for moving services into a natural environment. This should be a rare exception for an individual child, and not a common practice.

The justification must be based on the child's functional IFSP outcomes and should describe why the IFSP Team determined that the outcome could not be achieved in a natural setting, in the context of everyday activities and routines of that particular child and family.

The plan for moving services includes a description of the steps that will be taken to move services and supports provided in specialized settings into everyday routines and activities of that particular child and family. Each plan must include timelines and supports necessary to move or return early intervention services to natural settings within the child’s and family’s daily activities and routines.

In the event that an IFSP team needs technical assistance to address the appropriateness of a non-natural environment justification, please engage the First Steps Professional Development and Technical Assistance contractor.

Unacceptable Justification Examples

Providing services in settings outside of natural environments should be a very rare exception. As a result, acceptable individualized justifications are very challenging to identify and cannot include any of the following:

- **Administrative convenience:** e.g., convenience for early intervention providers such as equipment or special rooms. At times, it may be appropriate to temporarily provide services in a setting outside the natural environment to determine the appropriateness of a piece of equipment prior to purchasing it for the family's home. This is appropriate if the justification includes a timeline and specific plan to move the service to the natural environment, in this case, after trying the equipment for a few sessions. However, it is not appropriate to provide services outside the natural environment for an extended amount of time in order to use specific equipment.
- **Fiscal reasons:** e.g., agency refusal to transport portable equipment due to liability, vehicle space availability, travel costs or need for additional personnel to transport/operate equipment in natural environment.
- **Personnel limitations:** e.g., provider availability (whether due to scheduling or number of enrolled providers in the area) or decisions about necessary services based on provider availability.
- **Parent preference/choice:** e.g., discomfort with providers in the home; parent desire for "time off" or an opportunity to be away from child during services outside the natural environment; or parent belief in clinic- based services.
- **Practitioner preferences:** e.g., perceived "undesirable" or dangerous family address or area; refusal to travel away from the clinic or to a particular area or distance; a belief in clinic-based services; or a belief in the effectiveness of a particular service methodology or implementation style (hippotherapy, aquatherapy, therapy room, music therapy). In the case of safety, the IFSP team should always consider other natural environments that are a part of the child's routine (e.g. homes of other family members and community settings). Excerpts from OSEP letters included at the end of this guidance clarify that family preference, or the preferences of one IFSP team member, is not sufficient justification for providing services outside the natural setting.

Excerpts from OSEP Policy Letters Regarding Parent Input on Setting

- OSEP states in a letter to *Heskett, Missouri, May 26, 1999* in response to a question about whether it violates Part C for a parent to choose a non-natural environment (e.g., center-based program or clinic for children with disabilities) that they deem is best for their child: *"Although Part C recognizes the importance of, and requires, parent involvement throughout the IFSP process, Part C does not relieve the State lead agency of its responsibility to ensure that other regulatory and statutory requirements, including the natural environments provisions, are met. While the family provides significant input regarding the provision of appropriate early intervention services, ultimate responsibility for determining what services are appropriate for a particular infant or toddler, including the location of such services, rests with the IFSP team as a whole. Therefore, it would be inconsistent with Part C for decisions of the IFSP team to be made unilaterally based solely on preference of the family."*

- OSEP states in a *Letter to Elder, Texas, July 17, 1998* in response to a question about whether it violates Part C to provide services in a setting selected by the parent, which does not meet the definition of a natural environment even if the parents are incurring the cost of the setting, if the IFSP team determines services can be satisfactorily achieved in the natural environment: “... *if the parents do not consent to a particular location for a service specified in the IFSP, the State may not use Part C funds to provide that service in a location different from that identified on the IFSP. The parents are free to reject any service(s) on the IFSP by not providing written consent for that service(s) or by withdrawing consent after first providing it. If the parents do not provide consent for a particular early intervention service, which also includes the location, that service may not be provided. ..*”

Billing Matters and Non-Natural Environments

In recognition of the importance of natural environments as primary setting for early intervention services, the [Indiana First Steps Rate Table](#) reflects differentiated rates based upon Location of services with off-site (i.e., natural environment settings) being reimbursed at higher rates than services provided on-site (i.e., non-natural environment settings). Providers must select the appropriate location to reflect whether services occurred within a natural or non-natural environment.

Additionally, if the IFSP team determines there is a justification for services to be provided in a non-natural environment, providers must ensure that there is no duplication of billing for services. Service Coordinators must explain to families that:

- insurance cannot be billed for a clinic or center-based service and a First Steps service at the same date and time;
- if insurance claims are submitted for a First Steps service and another non-First Steps service for the same date and time, the claim which reaches the insurance carrier first is generally the claim that will be paid; and,
 - if this circumstance occurs, a family may be required to pay their family cost participation for First Steps services OR pay out of pocket for the non-First Steps services.