

Understanding the Data on the Educational Settings for Children Ages 3-5 with Disabilities

Annual Performance Report

Indicator 6

February, 2017





***Today's
Instructions***



Handouts

LEA Data Displays:

<http://nceln.fpg.unc.edu/state-data>

Event Page:

<http://nceln.fpg.unc.edu/node/3096>



Handouts

Educational Environments, 2016-2017 LEA Sample

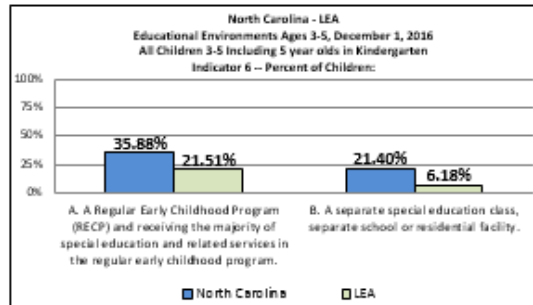
Indicator 6 of the State Performance Plan (SPP) reports the percent of children ages 3-5 (A) attending a Regular Early Childhood Program (RECP) and receiving the majority of special education and related service in the regular early childhood program, and (B) attending a special education class, separate school or residential facility (Educational Environments) (see below for calculation*).

The PreK LRE data are taken from the December 1st headcount and include children who are enrolled in Kindergarten but are not yet 6 years of age by December 1st. The summary statements for LRE on this performance indicator (IG) on the State Performance Plan are calculated in two ways:*

- Summary Statement A is calculated by combining the data from settings designated as A1 + B1. These are the RECP settings where the majority of the services are provided in the class.
- Summary Statement B is calculated by combining the data from the settings designated as C1+C2+C3. These are three different types of separate settings.

States are required to set performance targets for the above summary statements. Targets are absolute values set by the state based on previous years' trend data and the yearly incremental goals to improve on those performance data. These targets are approved by the State Special Education Advisory Council, and are as follows: (A) 37.00% and (B) 21.30%.

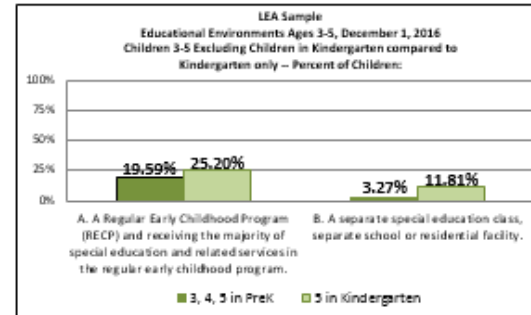
The first chart compares state and LEA performance.



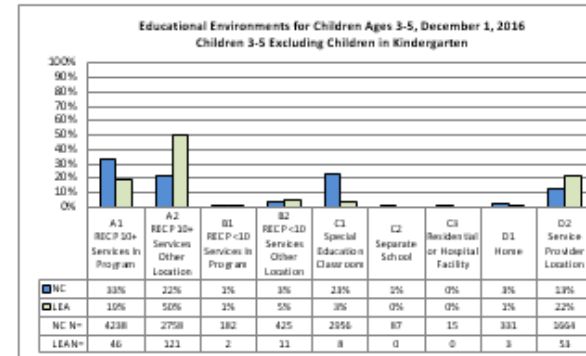
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February 2018

Educational Environments, 2016-2017 Continued

The second chart compares educational environments of 3, 4 and 5 year olds in prekindergarten to five year olds in kindergarten.



This third chart shows the distribution of 3, 4 and 5 year old prekindergarten children for Indicator 6.



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<http://nceln.fpg.unc.edu/state-data>

Handouts



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

January 9, 2017

Dear Colleague:

We are writing to reaffirm the position of the U.S. Department of Education (ED or Department) that all young children with disabilities should have access to inclusive high-quality early childhood programs where they are provided with individualized and appropriate supports to enable them to meet high expectations. Over the last few years, States and communities have made progress in expanding early learning opportunities for young children, with all but four States investing in free public preschool programs.¹ The Federal government, while aligning with the movement of States, has led several efforts to increase access to and the quality of early childhood programs, such as the Preschool Development Grants and expansion of Head Start. States have focused on improving the quality of early learning programs, including the development of early learning program standards and incorporating these into Quality Rating and Improvement Systems (QRIS).²

In September 2015, ED and the U.S. Department of Health and Human Services (HHS) issued a [policy statement on promoting inclusion](#) in early childhood programs to set a vision on this issue and provide recommendations to States, local educational agencies (LEAs), schools, and public and private early childhood programs.³ Despite the expansion of early childhood programs, there has not yet been a proportionate expansion of inclusive early learning opportunities for young children with disabilities. Given this concern and the ED-HHS policy statement on early childhood inclusion, the Office of Special Education Programs (OSEP) is updating the February 29, 2012, Dear Colleague Letter (DCL) to reaffirm our commitment to inclusive preschool education programs for children with disabilities and to reiterate that the least restrictive environment (LRE) requirements in section 612(a)(5) of the Individuals with Disabilities

¹ Walter N. Ridley Lecture: Pre-Kindergarten Access and Quality are Essential for Children's Growth and Development (November 2, 2016), available at <http://www.ed.gov/news/speeches/walter-n-ridley-lecture-pre-kindergarten-access-and-quality-are-essential-childrens-growth-and-development>. For more detailed but less recent information on State investments in public preschool see: Barnett, W.S., Friedman-Krauss, A., Gomez, R.E., Squires, J.H., Clarke Brown, K., Weisenfeld, G.G., & Horowitz, M. (2016). *The state of preschool 2015: State preschool yearbook*. New Brunswick, NJ: National Institute for Early Education Research.

² QRIS statewide systems are implemented in over half of the States and others are developing such systems. ED and the Department of Health and Human Services have supported States in further developing such systems under Race to the Top-Early Learning Challenge and the Child Care Development Fund. For more information see: <http://qriscuide.acf.hhs.gov/index.cfm?do=qriscuide>.

³ See U.S. Departments of Education and Health and Human Services Policy Letter on the Inclusion of Children with Disabilities in Early Childhood Programs (September 14, 2015), available at: <http://www2.ed.gov/policy/speced/lead/earlylearning/poirt-statement-full-text.pdf>.

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

Legal Requirements for Making Early Childhood LRE Decisions
Applicable Regulatory Guidance

Source: Ed. Gov, Building the Legacy <http://idea.ed.gov/>

Federal Register/ Vol. 71, No. 156/Monday, August 14, 2006/Rules and Regulations 46589.

<http://idea.ed.gov/download/finalregulations.pdf>

§ 300.17 Free appropriate public education

Free appropriate public education or FAPE means special education and related services that

- (a) Are provided at public expense, under public supervision and direction, and without charge;
- (b) Meet the standards of the SEA, including the requirement of this part;
- (c) Include an appropriate preschool, elementary school, or secondary school education in the State involved; and
- (d) Are provided in conformity with an individualized education program (IEP) that meets the requirement of §§ 300.320 through 300.324. (Authority: 20 U.S.C 1401(9))

34 CFR § 300.101 (b) FAPE

FAPE for children beginning at age 3.

(1) Each State must ensure that:

- (i) The obligation to make FAPE available to each eligible child residing in the State begins no later than the child's third birthday; and
- (ii) An IEP or an IFSP is in effect for the child by that date, in accordance with §300.323(b).

(2) If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP or IFSP will begin

34 CFR §300.114 LRE requirements

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**

Supplementary Comments

"The LRE requirements in 300.114 through 300.116 apply to all children with disabilities, including preschool children who are entitled to FAPE. Public agencies that do not operate programs for preschool children without disabilities are not required to initiate those programs solely to satisfy the LRE requirements of the Act. Public agencies that do not have an inclusive public preschool that can



Handouts

Questions and Answers about Early Childhood Educational Settings

1. **Question:** What is the continuum of alternative placements for preschool children?

- **Answer:** School system representatives should describe the full continuum of placement possibilities and explain that the child's needs and goals on the IEP will lead the IEP team in determining the most appropriate placement. The continuum includes:
 - Regular early childhood program (a preschool or kindergarten class where no more than 50% of the children have an IEP),
 - Special education program provided in a separate class, separate school, residential facility;
 - Service provider location,
 - Home instruction

NC 1501-3.2(c)

2. **Question:** What considerations should be made when IEP teams are determining LRE for preschool children?

- **Answer:** IEP teams should consider factors based on the child, the family, the curriculum and the amount of support needed to provide FAPE.
 - Child considerations may include, but are not limited to:
 - Where is the child now?
 - Has the child experienced success in his/her current or previous placements?
 - Has the child experienced challenges?
 - What are the child's developmental strengths and abilities?
 - Does the child have any specific behavioral concerns?
 - Is the child in a location with children his/her or her age (typically developing peers)?
 - What behaviors/skills are considered developmentally appropriate for this child?
 - Family considerations may include, but are not limited to:
 - Does the family have IEP goal areas that they want to include?
 - Which home routines and activities require assistance and can be worked on in the early care and education setting?
 - Are there areas in which the family might need technical assistance or training that is available in the community or through the schools?
 - What opportunities has the child had to interact with typically developing peers that the family felt was important (e.g., church programs, community classes, etc.)?
 - Curricular considerations may include, but are not limited to:
 - Can the child experience success in the same activities as his/her peers?
 - Can the child participate in the same activities with modifications?
 - What are the identified IEP goals and objectives for this child; and
 - Can IEP goals and objectives be embedded in classroom activities?
 - Support considerations may include, but are not limited to:
 - What activities can the child participate in without extra support?
 - In what activities does the child require extra support? and
 - What extra supports would be required for the child to participate with typically developing peers?

Revised (2-2018) Questions and Answers about Early Childhood Educational Settings

1

Preschool Educational Environments Data Webinar February 2018

Preschool Educational Environments Data Questions

When comparing your LEA data to the State's data, ask:

- Did your data show improvement from the previous year?
- Did Summary Statement A go up?
- Did Summary Statement B go down?
- Did your LEA meet the state's performance targets?

When comparing your LEA data between Kindergarten 5-year-old's and Preschool 3-5-year old's, ask:

- What was the difference between your Pre-K and Kindergarten data?

When reviewing your Indicator 5 school-aged LRE data, ask:

- What was the difference between your Pre-K self-contained rates and your ages 6-21 rates?
- What was the difference between your Kindergarten 5-year-old self-contained rates and your ages 6-21 rates?

What is your hypothesis about the story behind the difference?

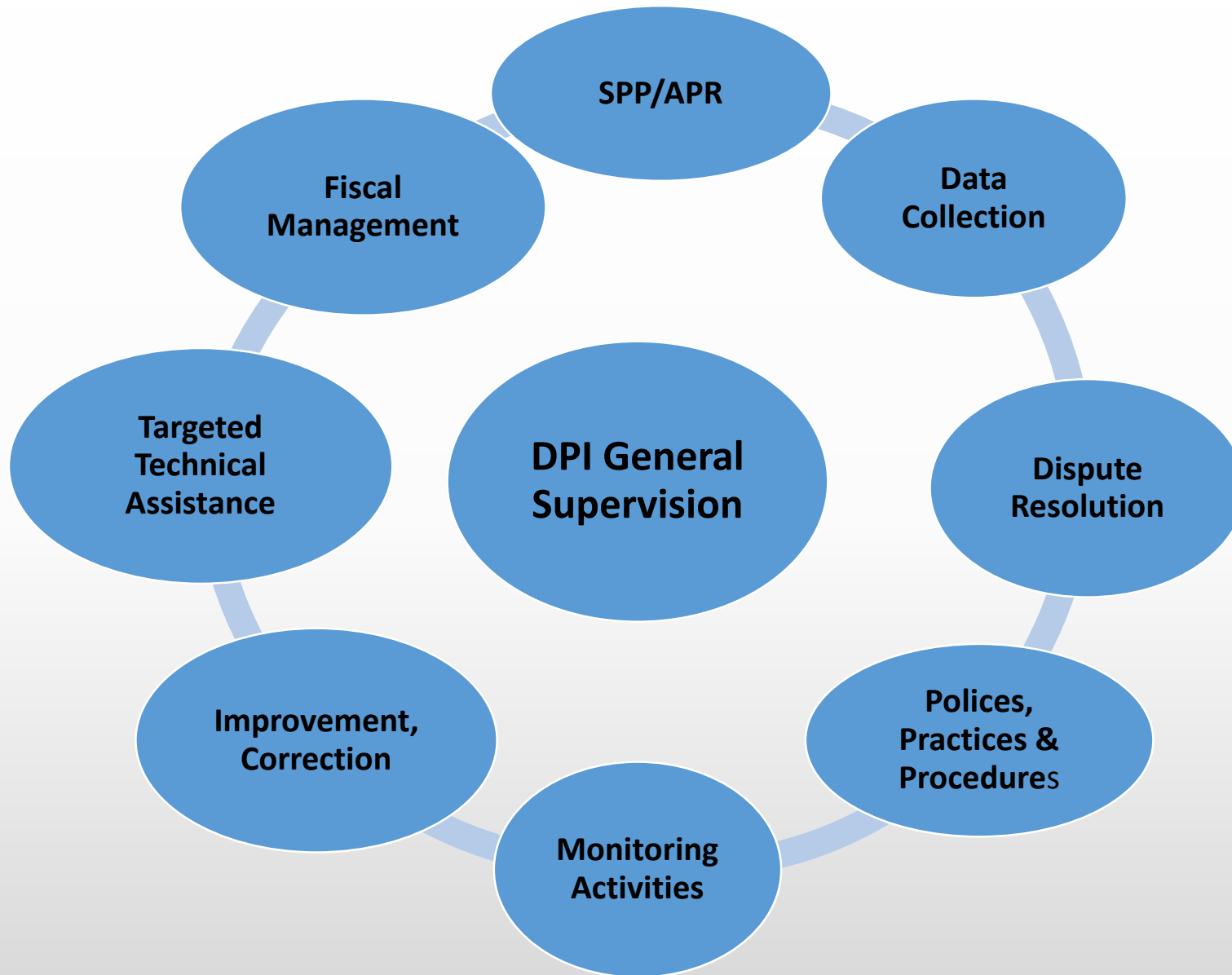
Comparing your LEA Preschool Environments data by the 9 early childhood settings:

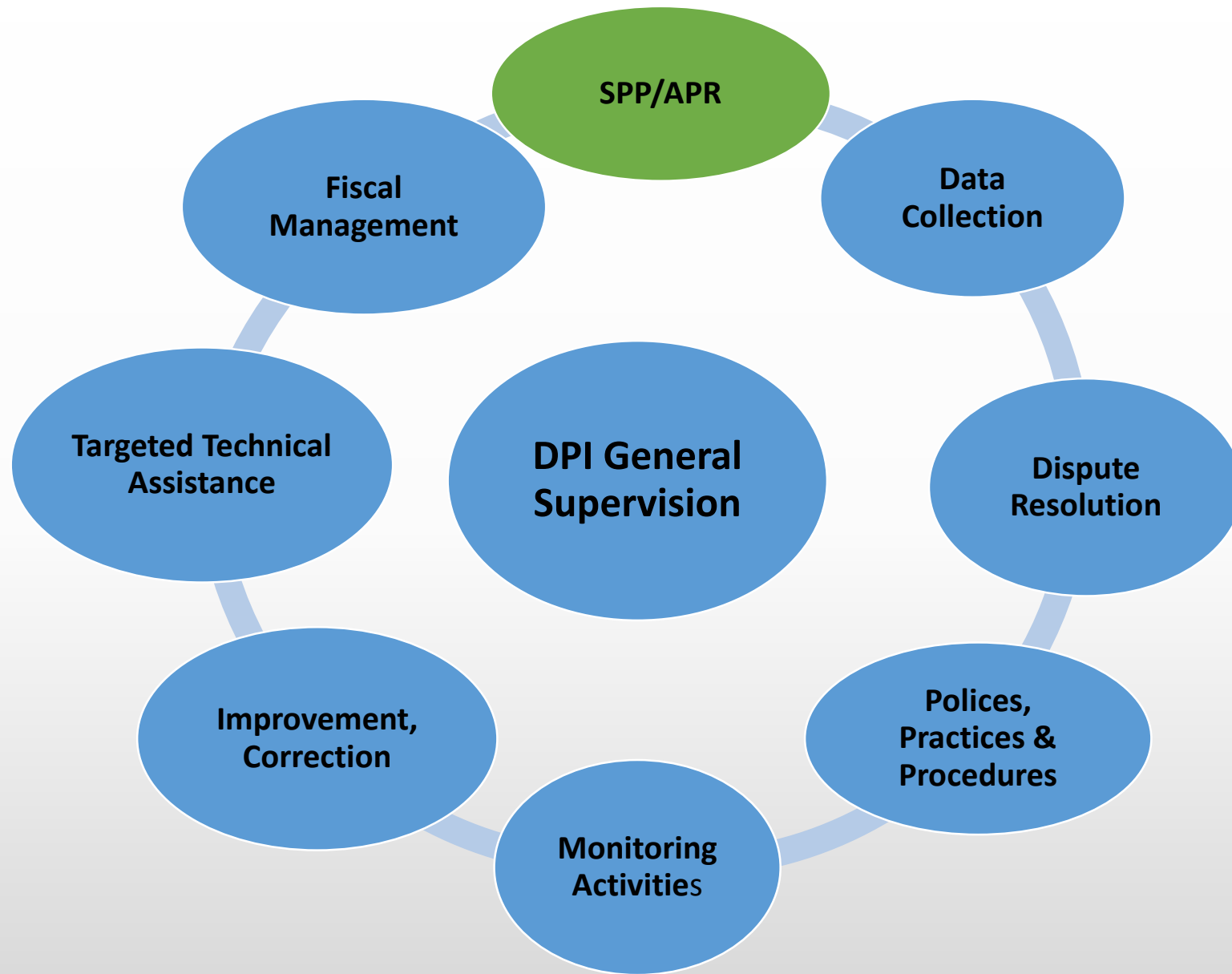
Children enrolled in a regular early childhood program, but receive the majority of their services outside the class are not counted as part of the calculation for your performance target for preschool LRE. The data that shows you the percent of children served in another location can be seen in the data display for A2 and B2.

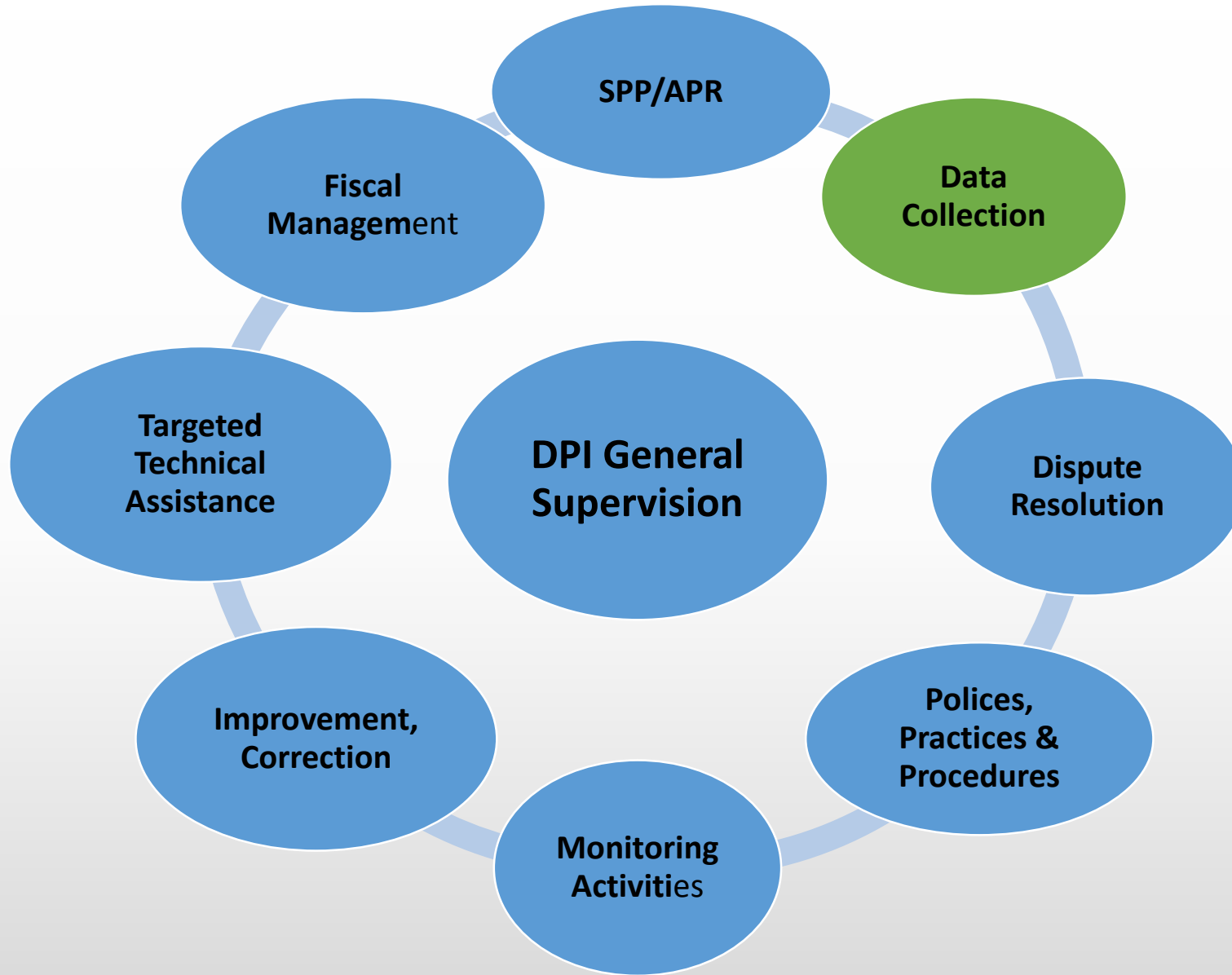
When you viewed the percentage of children being reported in category A2 and B2:

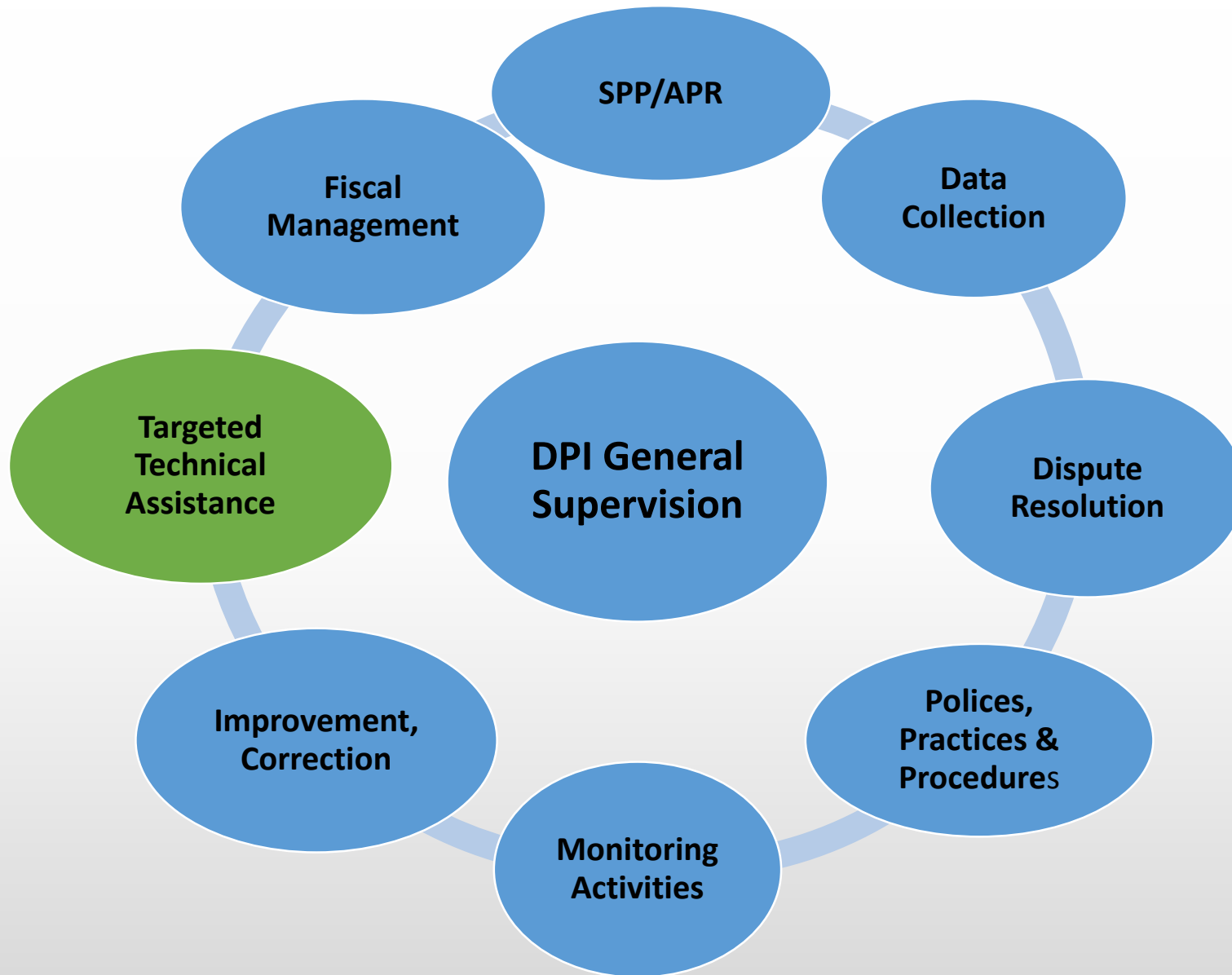
- Was your percentage of children receiving special education and related services in a pull-out model greater than the states (A2)?
- What team players do you need to have at the table in your LEA to discuss this data and its impact on your LEAs ability to meet the states targets?

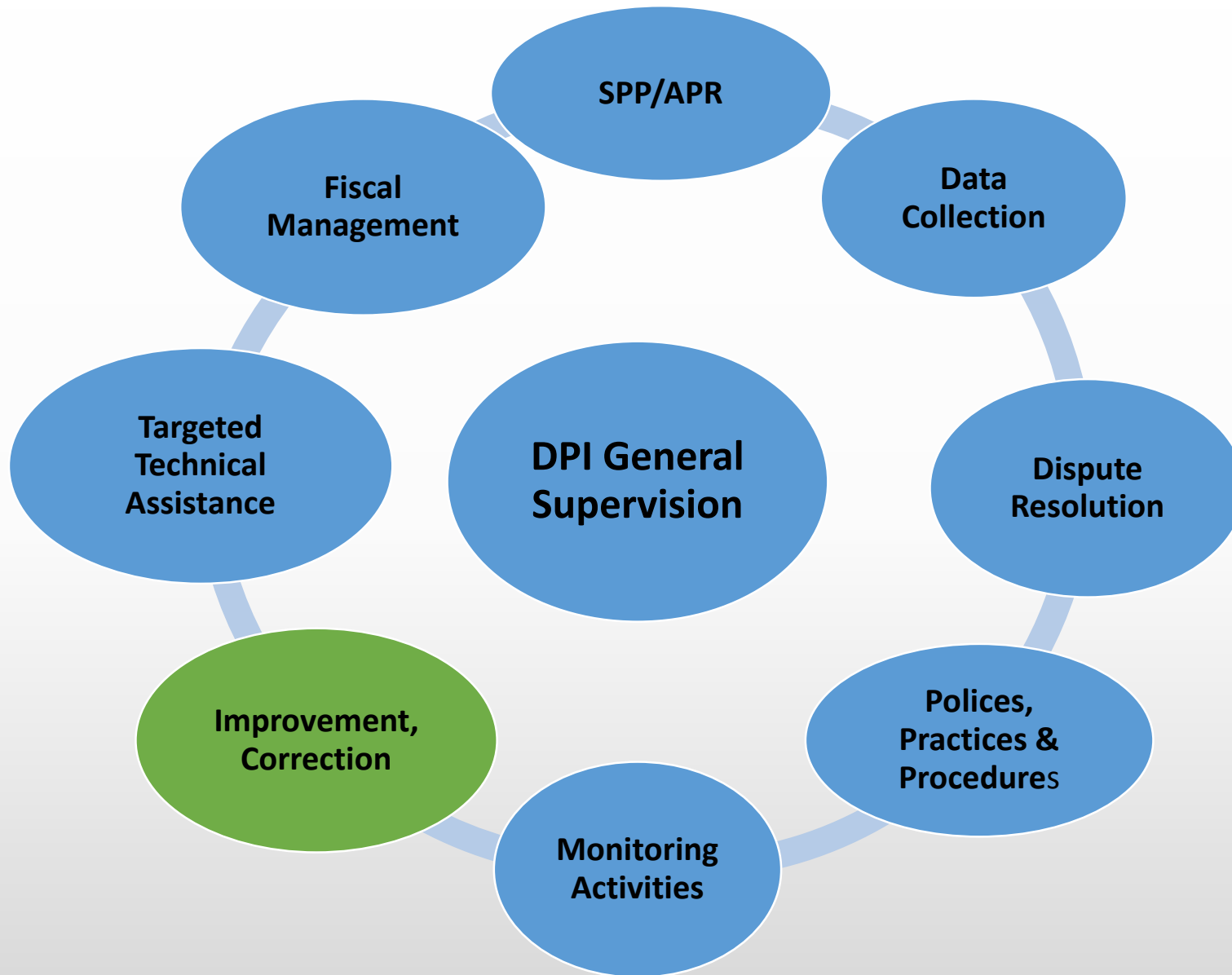












Objectives are to understand:

1. How preschool LRE data is collected and targets are calculated,
2. State and LEAs' data results for Indicator 6, and
3. How the state is interpreting the January, 2017 Preschool LRE Dear Colleague letter about financial responsibilities of LEAs.

Understanding the Indicator 6 Data



How is Preschool LRE Data Determined?

State collects educational environment data from LEAs and:

- Identify the total number of children in each of the nine preschool settings, and
- calculate two summary statements based on the December 1st headcount.

**Federal government requires that we include 5 year old's in Ktg. who have not turned 6 by December 1st.*

Setting Performance Targets for Program Accountability



Summary Statement Calculations



Summary Target A = % of children

RECP (+/- 10 hours a week) with services provided in that location
all children

Summary Calculation B = % of children

Separate class + Separate School + Residential
all children

North Carolina Indicator 6 Targets

FFY	2013	2014	2015	2016	2017	2018
Target A	NA	36.65	37.00	37.30	37.60	38.00
Target B	NA	21.60	21.30	20.00	19.70	19.40



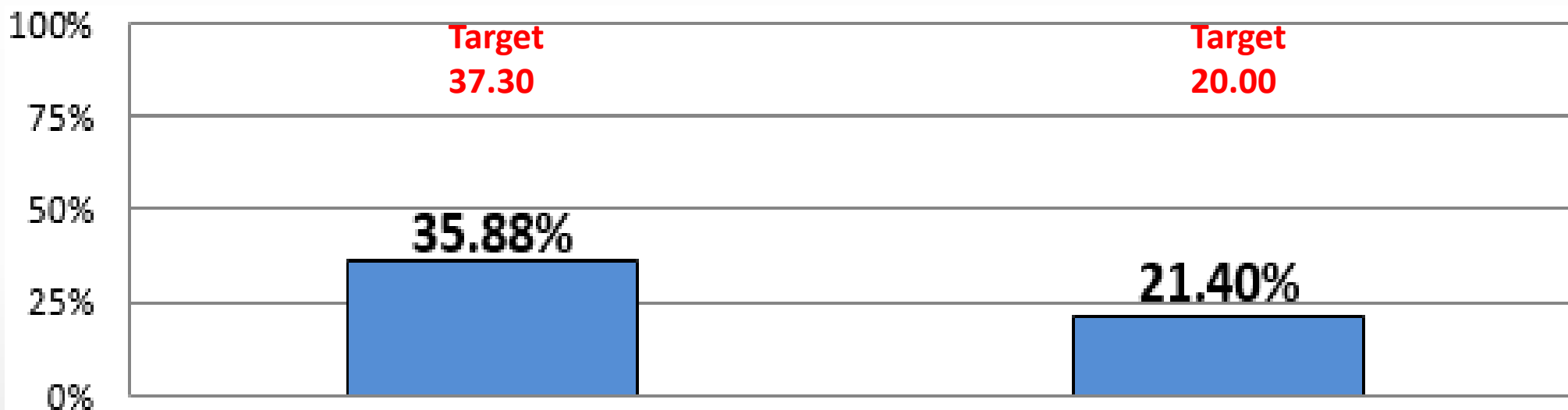
**Dec. 1st
2016**

Educational Environment		Age				
		3	4	PK5	K5	Total
Regular Early Childhood Program (RECP) +10 hrs.	A1. Majority SPED in	977	2,431	830	2,268	6,506
	A2. Majority SPED other	730	1,571	457	2,638	5,396
RECP <10 hrs.	B1. Majority SPED in	81	84	17	198	380
	B2. Majority SPED other	176	207	42	240	665
Special Education Program (SEP)	C1. Separate class	1,290	1,328	338	994	3,950
	C2. Separate school	34	34	19	54	141
	C3. Residential	3	10	2	1	16
Ø RECP Ø SEP	D1. Home	186	121	24	23	354
	D2. SPL	864	667	133	58	1,722
	PPP	0	3	4	57	64
Total		4,341	6,456	1,866	6,631	19,194

North Carolina

Educational Environments Ages 3-5, December 1, 2016

All Children 3-5 Including 5 year old's in Kindergarten



A. A Regular Early Childhood Program (RECP) and receiving the majority of special education and related services in the regular early childhood program.

B. A separate special education class, separate school or residential facility.

Summary Statement by Age Band (December 1, 2016)

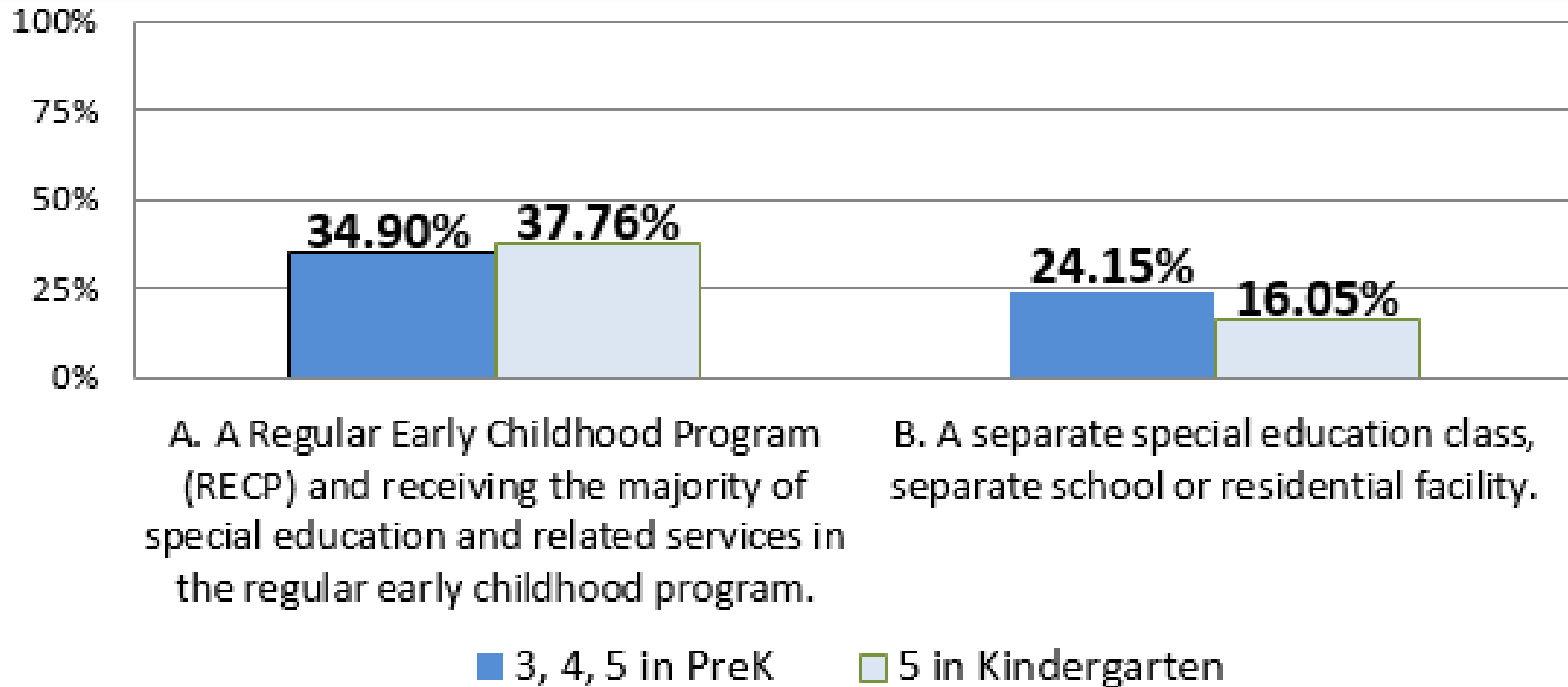
Age Level	Summary Statement A A1 +B1/all	Summary Statement B C1+C2+C3/all
3	24% (1058/4341)	31% (1327/4341)
4	39% (2515/6456)	21% (1372/6456)
PK5	45% (847/1866)	19% (359/1866)
K5	38% (2466/6531)	16% (1049/6531)



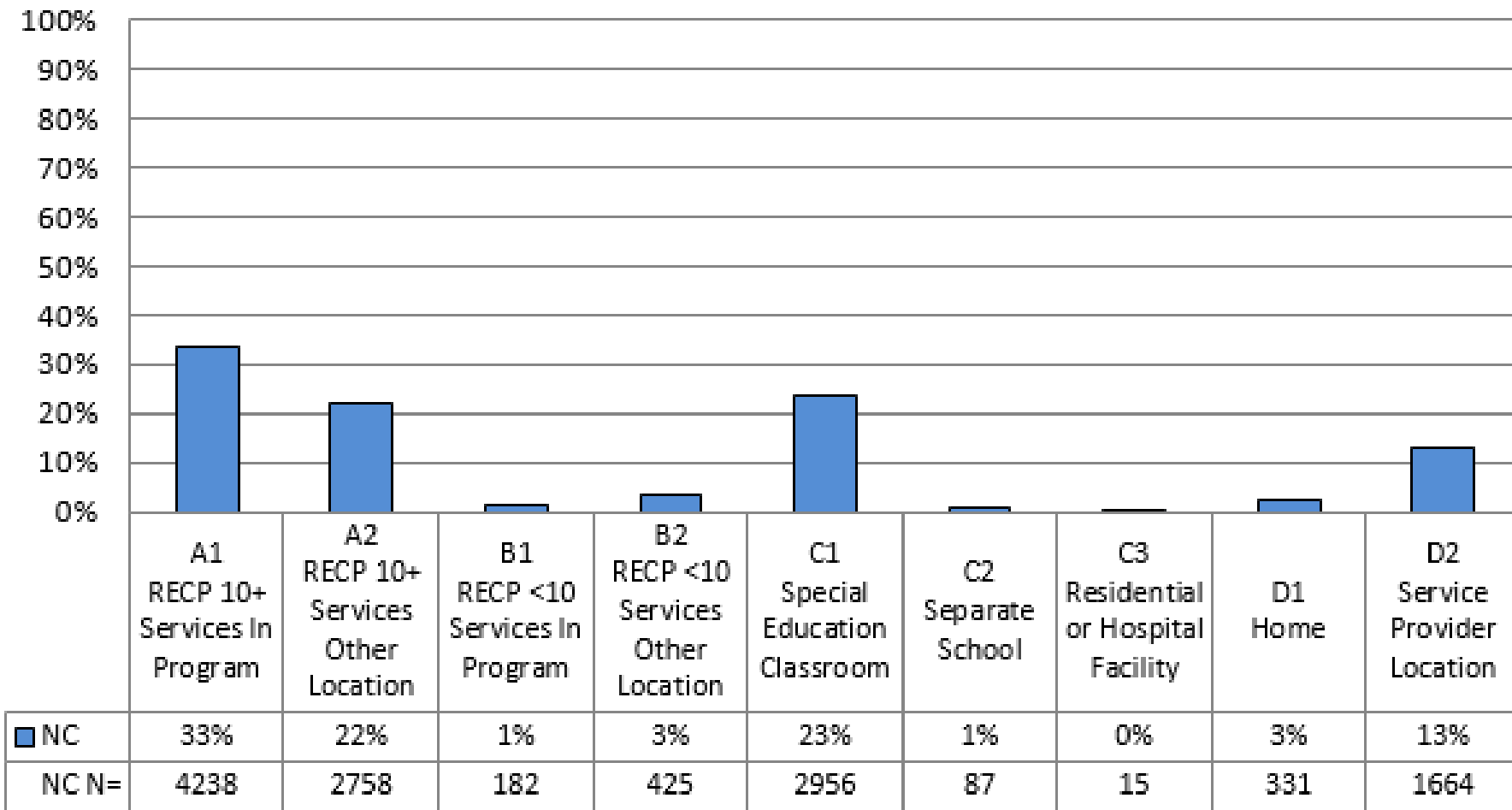
North Carolina

Educational Environments Ages 3-5, December 1, 2016

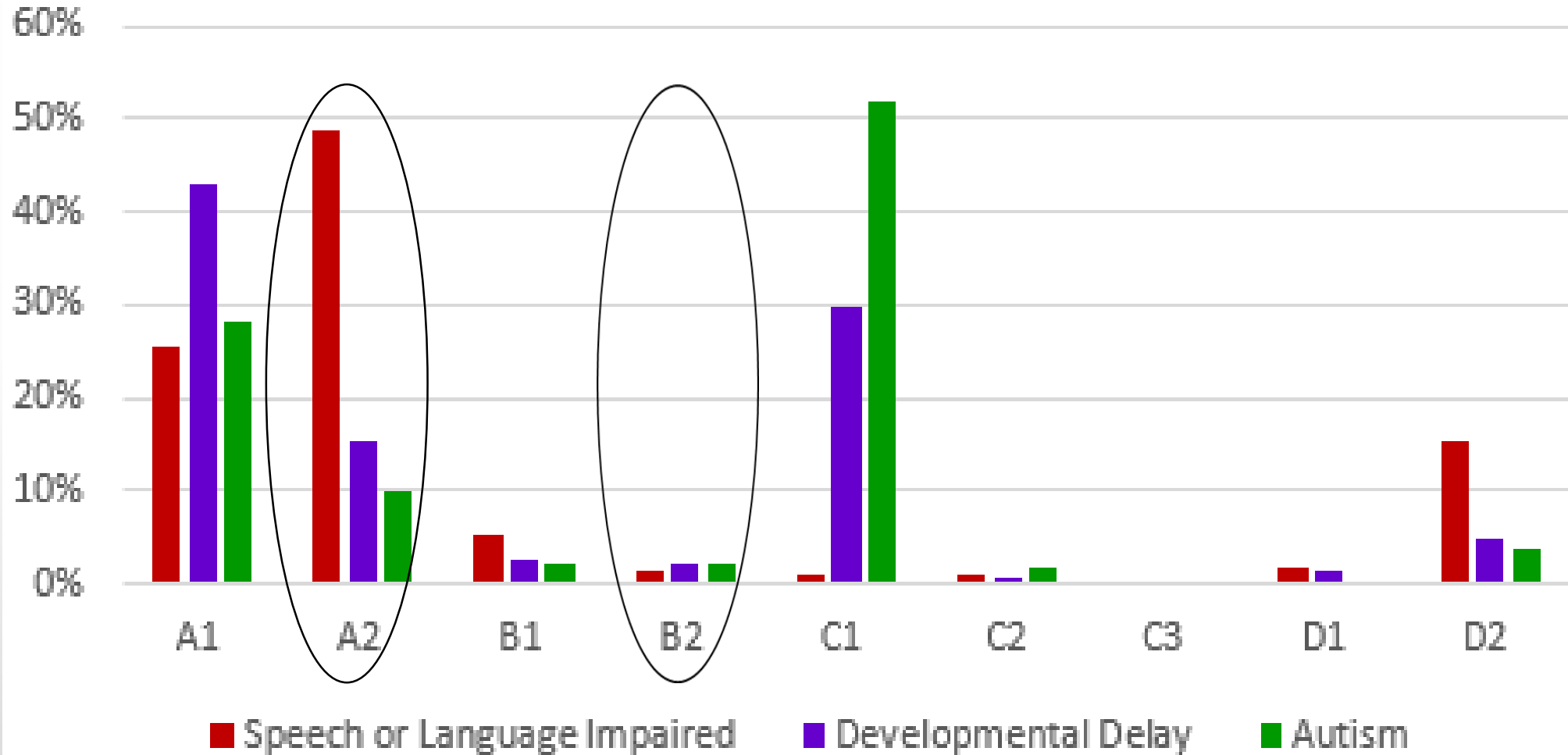
Children 3-5 Excluding Children in Kindergarten compared to Kindergarten only -- Percent of Children:



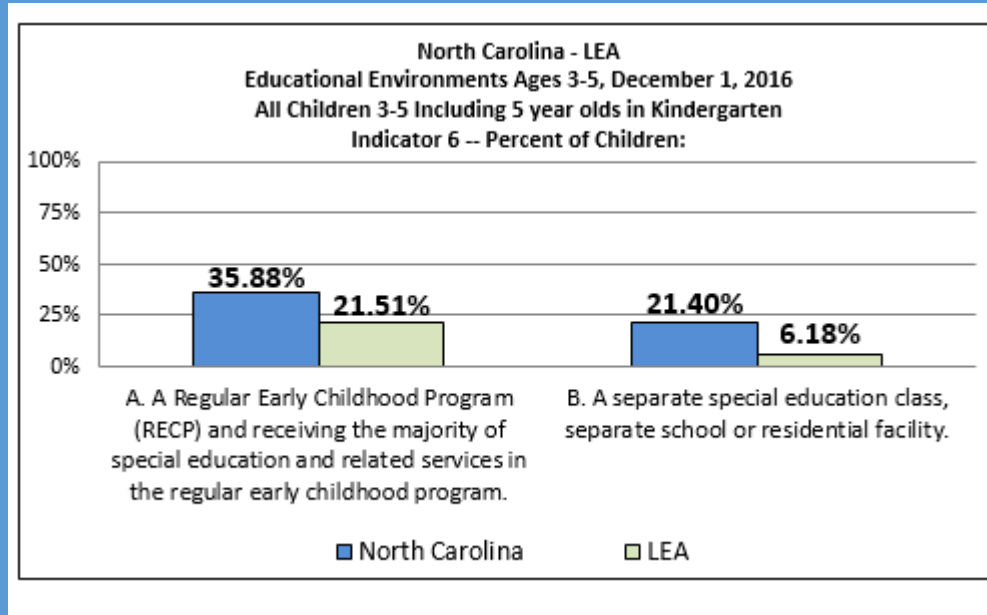
Educational Environments for Children Ages 3-5, December 1, 2016- Excluding Children in Kindergarten



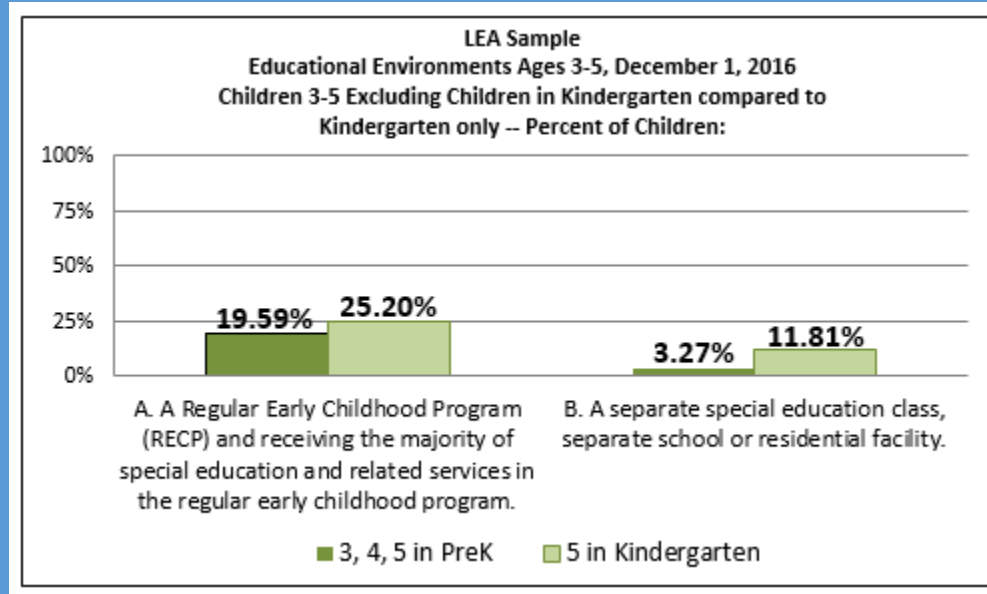
Setting by Disability- December 2016



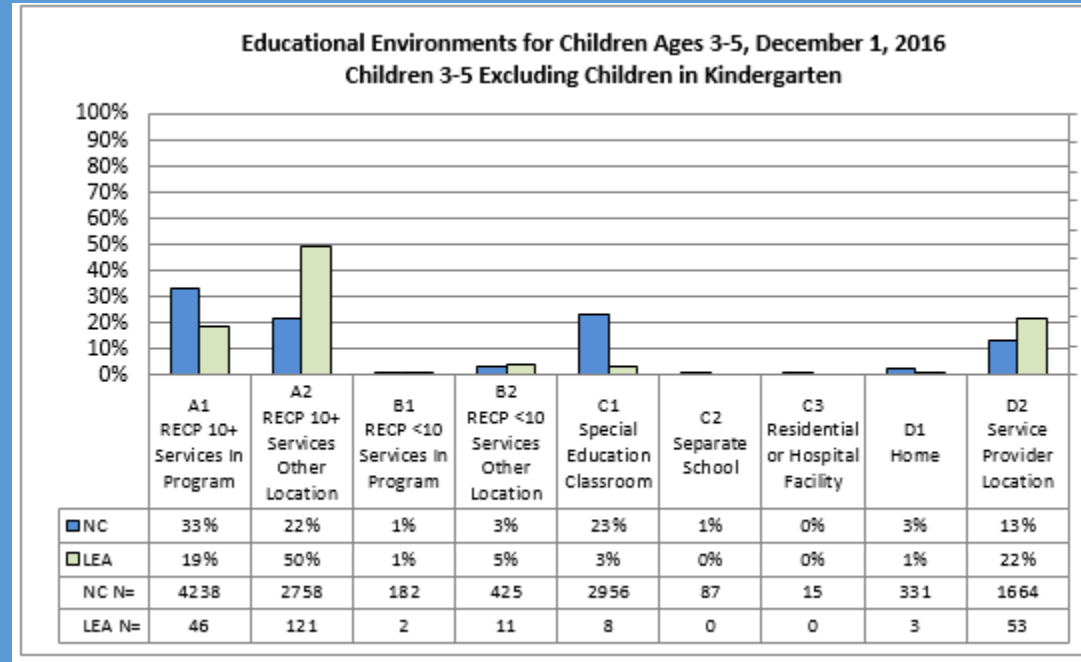
Your LEA Data



Your LEA Data



Your LEA Data





**Resource: Team Decisions for Preschool Special Education Services
Guiding Questions <http://nceln.fpg.unc.edu/ec-preschool-coordinator-resources-iep-process>**

Determining Excess Cost Requirements for PK- Question 11

How should the LEA interpret excess cost requirements (34 CRF § 300.202) for IDEA Part B section 619 and 611 funds when considering the cost of placement for a preschool child with a disability in a regular early childhood program?



LEA Fiscal Responsibility- Question 12

A child is made eligible for a regular early childhood class placement in the Head Start, Title I Preschool, or NC Pre-K program because the child and family meet the eligibility criteria for that program and there was availability in the program. The child is then referred for an evaluation and is determined to be eligible for special education and related services. The IEP team decides that the child will continue to make adequate progress in the current regular early childhood program and potentially close the gap in his/her development given special education and related services provided in that program. Therefore, the current placement constitutes the least restrictive environment. What is the local education agencies fiscal responsibility for the cost of the child's attendance in the program?



LEA Fiscal Responsibility- Question 13

A child is parentally placed in a tuition based private child care program due to the parent's need for child care. The class is not a NC Pre-K class. The child is then referred for an evaluation and is determined to be eligible for special education and related services. The child is making adequate progress in the current setting. The IEP team identifies that the current child care program instructional practices and curriculum comply with North Carolina's Foundations for Early Learning and Development (standards). Therefore, the IEP team decides that the child will continue to make adequate progress in the current regular early childhood program and potentially close the gap in his/her development given itinerant special education and related services provided in that program. Therefore, the current placement constitutes the least restrictive environment. What is the LEA's financial responsibility for the cost of the child's attendance in the program?



LEA Fiscal Responsibility- Question 14

A child is not enrolled in a regular early childhood program setting. The child resides at home. The child is referred for an evaluation and is determined eligible for special education and related services. The IEP team identifies the need for the child to be served with non-disabled peers in a class with instructional practices and curriculum that comply with North Carolina's Foundations for Early Learning and Development (standards). The IEP team decides that the LRE would be in a regular early childhood program. The LEA does not have a regular early childhood program or class slot available, what is the LEA's financial responsibility?



LEA Fiscal Responsibility – Question 15

A child is enrolled in a private child care center. The child is referred for an evaluation and is determined eligible for special education under the category of Speech Impaired. The placement team determines that the service can be provided in the home, service provider location, or in the child care center. If the service is provided in the child care center due to the parent's work schedule, what is the fiscal responsibility of the LEA for the child's tuition in the child care center?



Questions?

