



DEPARTMENT OF EDUCATION

**Least Restrictive Environment During the Preschool Years:
Building upon research and state investments**

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**Free Appropriate Public Education (FAPE)
34 CFR 300.17**

Means special education and related services that —

- Are provided at public expense, under public supervision and direction, and without charge;
- Meet the standards of the SEA, including the requirements of this part;
- Include an appropriate preschool, elementary school, or secondary school education in the State involved; and
- Are provided in conformity with an individualized education program (IEP) that meets the requirements of §§300.320 through 300.324.

**Dear Colleague:
Preschool LRE January 9, 2017**



“We are writing to reaffirm the position of the U.S. Department of Education 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.”

Dear Colleague: Preschool LRE (2)

The LRE requirements:

- have existed since passage of the Education for all Handicapped Children Act (EHA) in 1975 and are a fundamental element of our nation’s policy for educating students with disabilities
- apply to all children with disabilities who are served under Part B of the IDEA, including preschool children with disabilities aged three through five, and at a State’s discretion, to two-year-old children who will turn three during the school year.5

Statutory and Regulatory Requirements

- A preschool child who is eligible to receive special education and related services and his or her parents are entitled to all Part B rights and protections
- One of these guaranteed rights is the right to be educated in the LRE
- The LRE requirements... state a strong preference for educating children with disabilities in regular classes alongside their peers without disabilities.
- The term “regular class” includes a preschool setting with typically developing peers.

**Statutory and Regulatory Requirements:
34 CFR §300.116(a)**

In determining the placement of a child with a disability, including a preschool child with a disability, the public agency must ensure that each child’s placement decision 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
- in conformity with the LRE provisions in 34 CFR §§300.114 through 300.118.

The placement must be based on the child’s individualized education program (IEP) and determined at least annually.

Statutory and Regulatory Requirements: 34 CFR §300.320(a)(5) & 300.114(a)(2)

- The IEP must include an explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class.
- Before a child with a disability can be placed outside the regular educational environment, the group of persons making the placement decision must consider whether supplementary aids and services could be provided that would enable the education of the child, including a preschool child with a disability, in the regular educational setting to be achieved satisfactorily.

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Statutory and Regulatory Requirements: 300.114(a)(2)

If a determination is made that the education of a particular child with a disability cannot be achieved satisfactorily in the regular educational environment, even with the provision of appropriate supplementary aids and services, that child then could be placed in a setting other than the regular educational setting.

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Preschool Placement Options

- The public agency...must ensure that FAPE is provided in the LRE where the child's unique needs (as described in the child's IEP) can be met, regardless of whether the LEA operates public preschool programs for children without disabilities.
- An LEA may provide special education and related services to a preschool child with a disability in a variety of settings.

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Preschool Placement Options (2)

If there is an LEA public preschool program available, the LEA may choose to make FAPE available to a preschool child with a disability in the LEA's public preschool program.

Many LEAs do not offer, or offer only a limited range of, public preschool programs, particularly for three-year-olds. In these situations, the LEA must explore alternative methods to ensure that the LRE requirements are met for each preschool child with a disability.

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Alternative Methods

- (1) provide opportunities for the participation of preschool children with disabilities in preschool programs operated by other public agencies (such as Head Start or community-based child care);
- (2) enroll preschool children with disabilities in private preschool programs for nondisabled preschool children;
- (3) locate classes for preschool children with disabilities in regular public elementary schools; or
- (4) provide home-based services at no cost to the parent.

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Placement of a Child Participating in a Regular Public Preschool when Identified

In determining the placement for a child with a disability who already participates in a regular public preschool program, the placement team must consider whether the LEA, in collaboration with the regular public preschool program, can ensure that the child receives all of the special education and related services and supplementary aids and services included in the child's IEP in order to meet the needs of the particular child with a disability.

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Puzzling It Out: The Current State of Scientific Knowledge on Pre-Kindergarten Effects

A Consensus Statement

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Major Message #1: Greater impact for children with high needs

Studies of different groups of preschoolers often find greater improvement in learning at the end of the pre-k year for economically disadvantaged children and dual language learners than for more advantaged and English-proficient children.



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Major Message #2: Pre-k programs are not equally effective

Several effectiveness factors may be at work in the most successful programs:

- Well implemented, evidence-based curriculum
- Coaching for teachers
- Efforts to promote orderly but active classrooms

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Major Message #3: Short-term studies show pre-K matters

Convincing evidence shows that children attending a diverse array of state and school district pre-k programs are more ready for school at the end of their pre-k year than children who do not attend pre-k.

- Improvements in academic areas such as literacy and numeracy are most common;
- Studies of social-emotional and self-regulatory development generally show more modest improvements in those areas.

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Major Message #4: Experiences after pre-K amplify pre-k gains

Children's early learning trajectories depend on the quality of their learning experiences before and during AND following the pre-k year.

Classroom experiences early in elementary school can sustain and amplify pre-k learning gains.

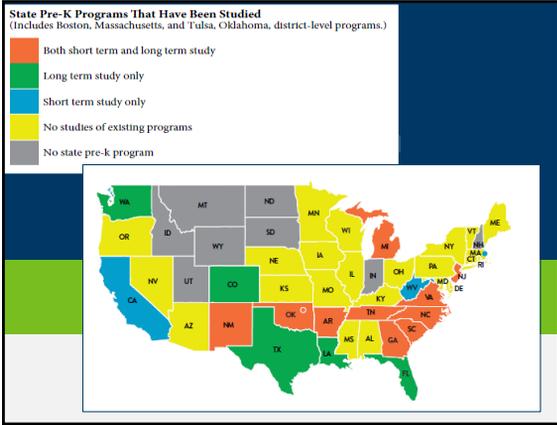
Elementary school classrooms that provide individualization and differentiation in instructional content and strategies effectively sustain positive Pre-K benefit.

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Major Message #5: Research on long-term gains is inconclusive

On balance, the available evidence about the long-term effects of state pre-k programs offers some promising potential but is not yet sufficient to support confident overall and general conclusions about long-term effects.

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Minnesota Investments in Early Learning: School-based

- School-readiness
- Early Learning Scholarships
 - Pathway II
- Voluntary Pre-kindergarten

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Program Standards Shared by School Readiness and Voluntary Pre-kindergarten

- Involve parents in program planning
- Coordinate appropriate kindergarten transition
- Coordinate with relevant community-based services
- Ensure staff-child ratios of 1:10; Group size ≤ 20.
- Have teachers knowledgeable in EC curriculum, assessment, native and English language development and instruction
- Children screened within 90 days of enrollment
- Comprehensive program content...aligned with early learning standards

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Program-Specific Standards

| | |
|---|---|
| <p><u>School Readiness</u></p> <ul style="list-style-type: none"> • At least 3 on September 1 and identified risk factor • Assess cognition and language at entry & exit • Submit biennial plan within WBWF plan • 1 staff in classroom must be teacher | <p><u>Voluntary Pre-kindergarten</u></p> <ul style="list-style-type: none"> • At least 4 on September 1 • Programs in sites with concentrations of poverty • Assess cognition and social skills at entry & exit • At least 350 hours annually • Instructional staff salaries comparable to K-12 salaries • Measure impact |
|---|---|

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Inclusion: Challenges and Solutions

- Attitudes and beliefs
- Resources (personnel, fiscal, transportation)
- Local policy

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Attitudes and Beliefs: Most significant challenges

- Lack of communication/collaboration
- Beliefs that “someone will lose”
- Beliefs that staff are unprepared
- Lack of awareness/understanding
- Turf issues
- Lack of respect

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Plan for Inclusion: Funding Membership and General Ed Formula Allowance

| Weekly Membership | Weeks/Year | ADM | Basic Revenue | 16 children |
|-------------------|------------|------|---------------|-------------|
| .5 | 36 | 0.28 | \$1,698 | \$27,168 |
| 5 | 36 | 0.28 | \$1,698 | \$27,168 |
| 10 | 36 | 0.43 | \$2,647 | \$42,352 |
| 20 | 36 | 0.87 | \$5,294 | \$84,704 |
| 25 | 36 | 1 | \$6,067 | \$97,072 |

Gopherville's Membership and General Education Formula Allowance

| Weekly Membership | Weeks/Year | ADM | General Ed Revenue | 16 children |
|-------------------|------------|------|--------------------|-------------|
| .5 | 36 | 0.28 | \$2,128.28 | \$34,052 |
| 5 | 36 | 0.28 | \$2,128.28 | \$34,052 |
| 10 | 36 | 0.43 | \$3,268.43 | \$52,295 |
| 20 | 36 | 0.87 | \$6,612.87 | \$105,806 |
| 25 | 36 | 1 | \$7,601.00 | \$121,616 |

Service Scenarios and Membership



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Thank you!

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