Least Restrictive Environment Includes Preschoolers: Meeting the Requirements of IDEA

Project Summary Report

LRE in Preschool **Project Group**

June 1, 2015

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Acknowledgements

Frequently Used Abbreviations and Terms

Ancillary Service Provider – Typically refers to a Speech Language Pathologist, Occupational Therapist, Physical Therapist, or School Social Worker.

DAP – Developmentally Appropriate Practice, approach to teaching young children that is based on research and recommended by professional organizations.

DEC – Division for Early Childhood of the Council for Exceptional Children, a professional organization.

ECS – Early Childhood Specialist, a person who measures quality of a GSRP program, ensures adherence to the GSRP manual, and may provide feedback / coaching to teachers.

ECSE – Early Childhood Special Education.

ECSE Program, R340.1754, R54 – A program for children with disabilities ages 2 years 6 months through age 5.

ECSE Services, R340.1755, R55 – A set of services for children with disabilities ages 2 years 6 months through age 5 which are delivered by an early childhood special education teacher or related service provider (under the educational direction of an early childhood special education teacher).

FTE – Full Time Equivalency, refers either to the amount of time a staff member is assigned to a program or the amount of state aid funding claimed by a district for the attendance of a child.

GSRP – Great Start Readiness Program, Michigan's state funded preschool program for four year old children with certain eligibility factors.

IEP – Individual Education Program, documentation of the special education and related services to be delivered to a child under Part B of IDEA.

LRE – Least Restrictive Environment, as defined by IDEA, "to the maximum extent appropriate, children with disabilities …are educated with children who are not disabled" (IDEA, 612(a)(5)).

MAASE – Michigan Association of Administrators of Special Education; a professional membership organization.

MARSE – Michigan Administrative Rules for Special Education, define special education and related services delivery, programs, and personnel requirements.

NAEYC – National Association for the Education of Young Children, a professional organization.

OT – Occupational Therapy OR Occupational Therapist.

PAM – Pupil Accounting Manual, provides guidance on pupil membership requirements and student count procedures.

PT – Physical Therapy OR Physical Therapist.

SE – Special Education.

SLP – Speech and Language Pathology OR Speech and Language Pathologist.

SSW – School Social Work OR School Social Worker.

ZS or ZA – Endorsements on a State of Michigan teaching credential allowing teachers to work

with children under Kindergarten age.

History

In April, 2014, the MAASE Executive Board approved a project proposal entitled LRE Includes Preschoolers: Meeting the Requirements of IDEA. The purpose was to accurately identify current barriers to meeting the LRE requirement for preschoolers in our state and to make recommendations for changes in rule and policy to support better adherence to the IDEA requirements. Researchers (i.e. Odom & Bussye, 2006; Mezey, Beh, & Irish, 2003), professional organizations (i.e. DEC & NAEYC, 2009), and legislation (IDEA, 2004) support educating children in environments with typically developing peers. However, the current early childhood system in Michigan is disjointed with various funding structures that often compete with rather than complement each other. This proposal was intended to be a call to action to ensure that we are implementing recommended practices for all preschoolers within Michigan and aligning to the Office of Great Start's Initiatives that all children are developmentally on track and ready to succeed at the time of school entry.

Identification of Need

In Michigan, the provision of special education and related services to preschool aged children in the least restrictive environment (LRE) has been a long standing challenge. In 2003, the Michigan Association of Administrators of Special Education (MAASE) formed a workgroup to support the governor's early childhood education and child care initiative. The workgroup submitted a final report with recommendations regarding early childhood special education programs and services. The report identified complex funding guidelines and requirements as a major barrier to meeting the LRE requirement in preschool. The Michigan Expanding Opportunities Inclusion Initiative workgroup was formed in 2009 to specifically explore issues

and challenges in Michigan related to the inclusion of children with disabilities in childcare, preschool and community settings. The group identified the same complex funding and programming barriers. Even though many LEAs and ISDs have found creative ways to utilize existing funding and programming structures to meet the LRE requirement for their preschool aged students, many administrators continue to identify barriers, including a fear that these "creative ways" may be putting their funding at risk. Additionally, a simple review of the past minutes for the MAASE Early Childhood Community of Practice will reveal that many of the issues identified over ten years ago exist to this day.

Survey Findings

A survey was widely distributed throughout the state of Michigan through various state, ISD and local listservs. The results are discussed in the following sections.

Participants

A total of 266 participants replied. Participants were asked to identify their role in their district. Participants were allowed to choose multiple roles, as it is not uncommon for one person to serve in a variety of capacities. The participants identified themselves in the following ways: Special Education Administrator (n=66), Early Childhood Administrator (n=90), Special Education Teacher (n=31), General Early Childhood Teacher (n=69), Ancillary Service Provider (n=41).

Participation in General Early Childhood Environments

Participants were asked to indicate whether special education programs or services are provided in regular early childhood environments, in their district. Special education programs or services may include, but are not limited to, early childhood special education service,

speech and language services, physical therapy, etc. Regular education environments are those

in which less than 50% of children have IEPs. Eighty one percent indicated that some form of

special education programs and services are provided in regular early childhood environments.

Eighty-five participants indicated that some children receive ECSE Services (R340.1755) in

general early childhood environments, while 145 participants indicated that some children

receive ancillary services in general early childhood environments.

Forty-nine participants responded to the following question: To the best of your

knowledge, has your district or organization explored options concerning the provision of

special education in general early childhood environments? Seventy-six percent of participants

responded "yes."

Participants were asked to identify the regular early childhood environments in which

they provide special education.
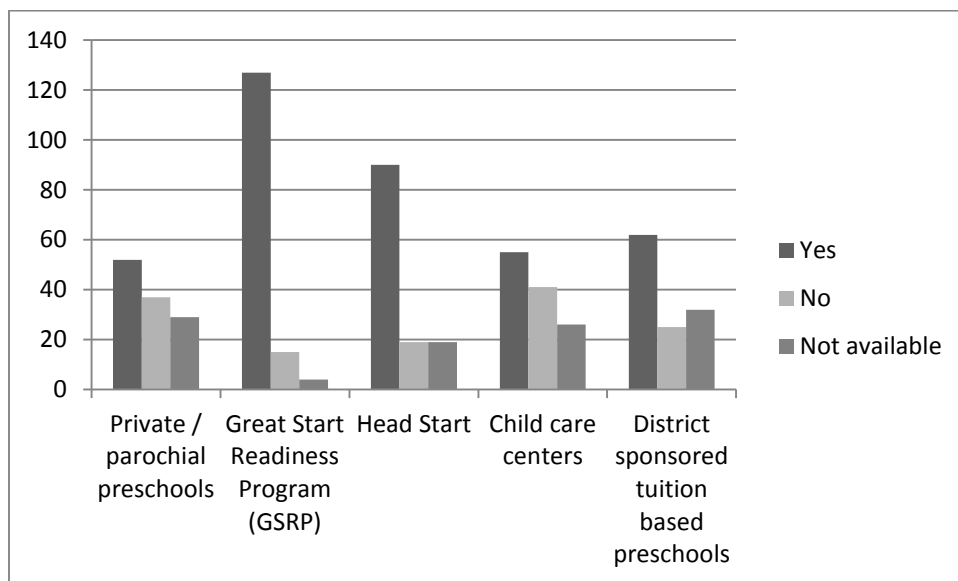
Figure 1. Delivery of special education in regular early childhood settings.

When asked the types of services provided in the various environments, the large majority of

participants indicated ancillary services in GSRP.

Figure 2. Types of special education in regular early childhood settings.

Barriers

Participants were asked to identify system-level barriers encountered when attempting

to provide special education in general preschool environments through a multiple option,

multiple choice question with an "other" option for providing additional responses.

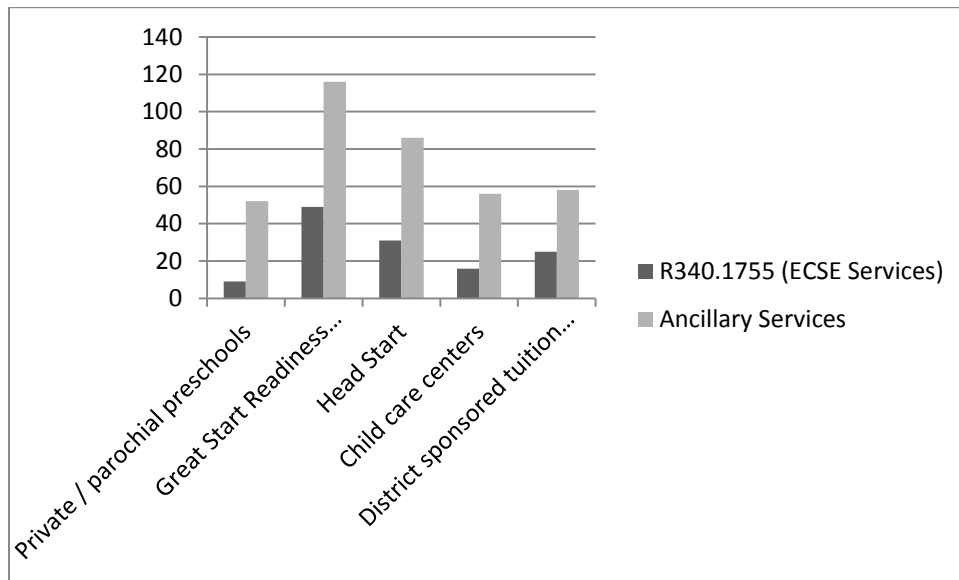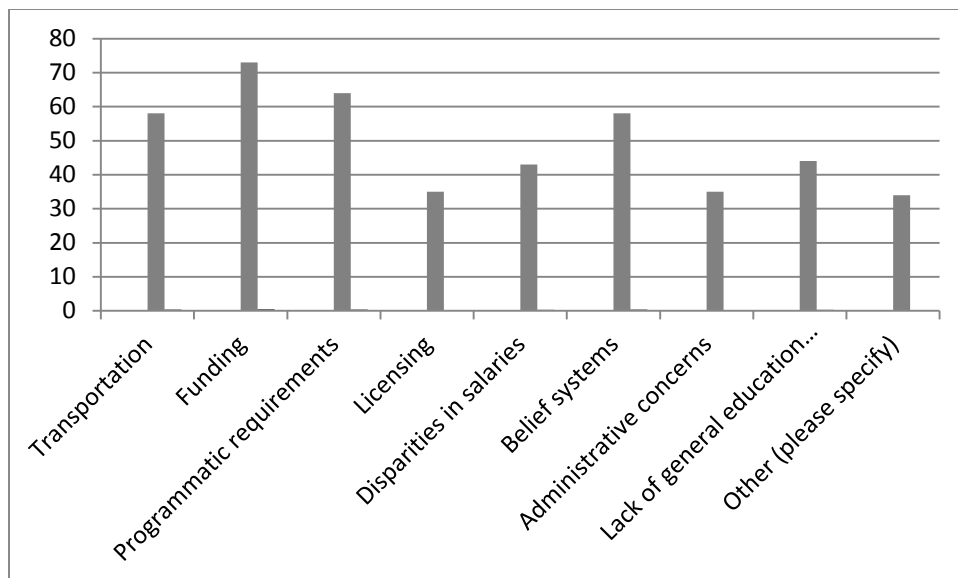Figure 3. Barriers to delivering special education in general environments.

Barriers listed as "other" could be categorized in the following ways: lack of time, attitudes of decision makers (e.g. administrators, Boards of Education), conflicting policies, location / space, attitudes of practitioners, lack of personnel, attitudes of parents, and limited options.

Participants were asked to describe or address the barriers noted in the previous question. Eighty-eight participants replied. The responses were coded according to the following categories (based on the previous question): time, attitudes of decision makers, rules and policies, location and space, attitudes of practitioners, personnel availability, attitudes of parents, limited options, transportation, funding, programmatic requirements, licensing, disparities in salaries, miscellaneous. The categories, the number of comments for each category, and examples of comments are included below.

Funding (21):

- The tuition program is self-funded and cannot provide additional staff members to accommodate the needs of some students. We refer the students back to the self-contained special education preschool program.

- There is a lack of funding in the district to provide other FREE general education preschool options, we currently have ECSE, GSRP, and a tuition based preschool to choose from.

- Funding for 1755 is based on fall count. No additional funding is provided for children identified and served in these type of settings throughout the rest of the year.

- Loss of being able to bill full FTE to special education for combined services

- The district is unwilling to "lose money" on placing students in a Rule 55 program with fewer students and having to pay the sp. ed teacher much more than the GSRP/Head Start teacher

Attitudes of Practitioners (18):

- Discrepancies in the staff and their beliefs as well as their willingness to include special education students as part of their classroom makes it difficult to run a true inclusion program.

- There is concern regarding the use of what has been called an 'unstructured' environment in the general education classroom as opposed to the teacher-directed environment in the Early Childhood SE classroom. These comments reflect a general lack of understanding of the difference between child-centered, student- led classrooms vs teacher- directed classrooms.

- We also have barriers with general education staff not being prepared with the mindset and/or training for the necessary program adjustments to accommodate students with special needs.

- The belief system barriers are generally related to ancillary providers desiring to more "pull out" services and general ed teachers requesting more "push in" service models. Another discrepancy is the curriculum approach as it relates to student assessment.

Limited Options (14):

- Difficulties were also encountered when students were not found eligible for GSRP, as we do not have a ready alternative for students who need LRE with SE support rather than just ECSE.

- We have a serious lack of PreK options in our region. One specific problem we are encountering this year is the kids who fall in the gap for age requirements. Some students have attended 2 years of PreK and are above the age limit to continue, but due to the changing date of K enrollment they are not eligible for K.

- More support for embedding special education into non-publically funded programs would help considerably.

Programmatic requirements (14):

- The time requirement for hours/days services are difficult to do when there is such a difference between sp. ed and gen. ed.

- Disparities in best practice, policy, and procedure between early childhood and special education. Some examples include: Perceived disconnects in the PQA for ECSE students, MARSE rules not supporting best practice for early childhood students (such as no

classroom space requirements for play, no requirements for DAP classroom routine, some differences in professional preparation).

- We have worked with GSRP, Head Start, and our district tuition based preschool. Most of our LRE work has been with GSRP where we have encountered difficulties with programmatic requirements that allow only very limited access to students and do not allow the use of intervention curricula.

Personnel Availability (9):

- Staffing is another problem because we do not have enough staff to allow students to have inclusion or transitioning time in the GRSP programs.
- Services are very, very thin at the same time that children's needs are growing.

Time (5):

- General education teachers need to know what strategies to use to address the concerns for the child. Often, the person providing the services come in, provide a few minutes of service, then leave. For at least 2 other hours of the child's day, there may be other opportunities to reinforce concepts and practices needed. Collaboration time would be very useful in helping to meet the needs of the children by allowing teachers to plan for and provide experiences throughout the day.
- Therapists having enough time to visit and provide services in the Head Start classrooms.

Attitudes of Decision Makers (5):

- Local control is an issue, i.e., local school boards unwilling to share space for inclusionary practices and improve LRE outcomes.

- Another significant obstacle is buy-in from administration. If administration isn't committed to providing inclusive environments for children, then finding a way around those obstacles is much tougher.

Rules and Policies (5):

- Without doubt, our biggest barrier to including students with special needs in general education settings are the special education rules and regulations. If it weren't for all the limitations on how to serve our students, they would be able to get a much better education.

- Children from districts other than the home district must go to their home district for speech- that is a problem when children attend an all day program.

Location and Space (4):

- Geography - our district is spread out over several square miles with no EC center and preschools are in 4 elementary buildings across the district and we only have a part-time 1755 special education teacher in mornings. Supporting kids with special needs in multiple buildings part-time is a challenge.

Transportation (4):

- Transportation in getting students to LRE and the issue of gen ed students not being able to ride SPED buses.

Licensing (2):

- Licensing requirements between the GSRP and the ECSE program as well as how the programs are run.

Disparities in salaries (2):

- When early childhood teachers are paid significantly less than a special Ed teacher in a self-contained ECSE classroom why would we want to not have that option.

Parental Concerns (1):

- Trying to get parents to come to IEP meetings and/or sign paperwork.

Additional information. The task force gathered additional information. Following are five situations experienced by one local district.

- We had triplets in our building. Two qualified for ESCE classrooms and one qualified for Head Start. Because we do inclusion with Head Start, the triplets were in the same classroom program with the same teacher. However, due to transportation rules, two different busses had to come to the house. The two special education students got picked up 15 minutes after their brother – and sobbed hysterically every single day when their brother got to go to school before they did. The parent could not understand why one bus, which was already coming to her house, could not pick up all three of her children. In addition, she had to leave for work as soon as the children left for school, and this caused her to be late at work when the bus was late.

- We have one mobile home park in our town that has very strange district lines. FOUR different district school buses pick up children on this street. Because we do not have school of choice for preschool, a family moved literally across the street, and had to move preschool programs as a result. In addition, the street is so narrow that the busses have to take turns going down the street so they can turn around.

- It is very confusing now that GSRP and Head Start can take children from out of county. Once the children start school, if a special education referral is placed, we are not

allowed to use our funding to do a referral or services for an out of county student. For working parents, they are often not able to take their child to their county for the referral or the therapy if they qualify; thus many children are going to kindergarten without the early intervention they need.

- We have a very high number of parents refused services because the busses do not cross county lines. If they live in our county, but grandma or their day care is in another county, they cannot leave work to pick up their child and take them to daycare; thus refusing services.

- GSRP and some Head Start classrooms have gone to full day programming. We have a growing number of parents refuse "half day ECSE down the hall" as a result.

Successes

Participants were asked to identify successes encountered in attempts at providing special education in general preschool programs. Ninety separate comments were recorded. The responses were coded using the following categories: benefits for children with IEPs, benefits for children without IEPs, benefits to staff, general positive programmatic or system comments, responses including negative comments / barriers, limited access. Examples of comments for the first four categories are listed below, followed by discussion of the last two categories.

General positive programmatic or system comments (19)

- We have been very successful in a full inclusion model PreK-1st grade.

- We have great working relations with our District run preschool general education programs.

- Each year the program shifts and molds around the needs of the students that are being sent. And each year the staff (ECSE, ancillary and GSRP) learn a bit more about working together.

- We currently offer completely blended classrooms in our general education setting without any segregation based on eligibility, funding or student age (tuition, Head Start, GSRP, at-risk, and ECSE eligible).

Benefits for children with IEPs (16)

- Many children have benefit in that they tend to develop greater social-emotional, physical, and cognitive development skills by interacting with typically developing children than they would in a special education environment. By being a part of a general ed classroom, children have "role models" as peers that often encourage and challenge them.

- We feel our success rate for children with disabilities is very high and very successful. Children with special needs and their families find us to be a place where the child is respected and valued as a child first. We work with the family to find the right support services for the child and the family

- We have seen increased student achievement and improved behavior in students receiving their special education services under rule 1755 in the general education environment.

- Children have role models to learn from. Really the list is endless but some of the most important things they learn are language skills, social/emotional skills, and self-regulation.

Benefits to staff (13)

- Inclusion has offered the next step between ECSE and ancillary stand-alone services. Our preschool teachers are eager to take the students with IEPs because they get support from our inclusion teacher.

- I have seen the teachers becoming willing to adapt their activities, and teaching after learning more about the child's special needs, as well as use equipment and materials that will help the child.

- Many of our community preschools welcome consultation services with our SE service providers. Staff have developed "mini" training sessions addressing sensory and behavior strategies that can be embedded within their programs.

Benefits for children without IEPs (5)

- Inclusion in our GSRP classroom has helped all of the children learn in different and new ways. It has helped them to be accepting of others who may be different than themselves.

- We see children becoming sensitive to the needs of their classmates and serve as a positive peer model. The also learn that not everyone learns things at the same time or in the same way.

Even though the question asked participants to identify successes, several responses included concerns in addition to, or in lieu of, successes. Four participants indicated no or very little success had been encountered. Ten comments included successes tempered by barriers. Such comments included:

- Some of the kids have made progress and show improvement in growth and development in general education, but not all have. Not enough support.

- We have had tremendous success with the current programs we run. We have been able to provide a full continuum of services through Rule 340.1755. Ranging from consultation, a few hours per week to a highly successful co-teaching model. We have limited slots to place special ed students in these programs though.

- We have always provided ancillary services in gen ed, but are very challenged for more. This year we were able to service two students under Rule 55 due to special circumstances and an additional teacher.

Several comments indicated that access to inclusive services was only available for a specific group of children. For example, eighteen respondents indicated that ancillary services only were offered. If a child required more support than speech service (or for some, occupational therapy or physical therapy), services were not provided in the general preschool environment. One respondent noted that "when carefully selected, we have had students with IEP's do very well in the GSRP setting. They have shown growth and we have a much clearer idea of what their needs might be in kindergarten."

Participants were asked to identify programmatic or system level components which make the model of providing special education in general preschool environments successful. Fifty-two participants noted such components. The responses were coded using the following categories: location, common goals, adequate personnel supports, collaborative relationship, and administrative support. The categories, the number of comments for each category, and examples of comments are included below.

Collaborative relationship (20)

- Time for GSRP staff and special education teachers to plan is crucial to success.

- Team approach to meet the needs of the children.

- The staff of all sectors are willing to work together at all costs to provide top notch learning.

- Collaboration between itinerant staff (SLP, OT, PT, SSW, ECS, Special Ed teacher and Regular Ed. teacher) has been extremely helpful. Monthly team meetings to discuss the needs of the children. Communication between the teacher and families.

- Dedicated staff teaming times for planning/problem solving.

Adequate personnel support (7)

- We utilize 1 FTE Special Education Teacher, and 1 FTE Special Education paraprofessional at each of our 2 Early Childhood Centers. This level of support provides the classroom support necessary for teachers who may be new to inclusion or unsure of their abilities.

- The special education consultant is a (district) teacher but fully participates in our preschool classrooms and supports the general education teachers by giving them strategies to help them best meet the needs of the ECSE children placed in their classrooms.

Administrative support (6)

- We have strong support from our school district and special education director.

- Support at the district level through philosophy and funding.

Location (5)

- Grouping or clustering programs in similar settings.

- We are housed in one early childhood center.

Common goals (3)

- The blending preschool model was a workgroup of our Great Start Collaborative. Since all partners were represented in the planning process and the philosophy, when challenges occur, they can be worked out because of the initial participation

Recommendations of the Task Force

Given the above mentioned barriers, the following recommendations were developed.

- Convene a cross departmental group including the Michigan Department of Education Office of Great Start, Office of Special Education, MEMBERS FROM THE FIELD and parents to :

    1) Establish a vision for early childhood inclusion in the state of Michigan that would serve to provide a full continuum of special education programs and services for young children age 2.6 to 6; recognizing that ANY preschool program in a community presents an opportunity for a child to be included. (Recommend alignment with The U.S. Department of Education proposed policy statement on inclusion of young children with disabilities in high-quality inclusive early childhood programs.)

    2) Develop guidance for placement decisions;

    3) Evaluate, revise and align current manuals and rules (GSRP implementation, Pupil Accounting Manual (PAM), Michigan Administrative Rules for Special Education) to:

a. Maximize children's ability to access services where ever they may need them (Private preschool, out of ISD boundaries, HS, GSRP, local school)

b. Allow funding to follow the child

c. Revise Pupil Accounting Manual to allow more flexibility in hours / days for 1755 services to better match GSRP / Head Start days/hours

d. Revise Pupil Accounting Manual for ECSE programs to align with best practice of providing a day for teaming, collaboration and home visiting (ie. 4 day a week student attending the program=1FTE)

e. Provide the ability to blend classroom and braid funding options. This could be accomplished by allowing an approved ECSE teacher to teach a blended classroom with children funded under a variety of funding streams, including ECSE Program, GSRP, Head Start, tuition). If this were allowed, 3 year olds that are eligible for SPED could be serviced in ECSE Program and be in classrooms with children funded under GSRP / Head Start.

f. Allow approved early childhood special education teachers (ECSE approval, ZS, ZA + special education endorsement) to teach children that are not special education eligible, if funded by a funding stream other than special education.

g. Review current program assessment tools to ensure that items indicating that if children with IEPs are included in the program, the IEPs

> are followed, and that doing so does not jeopardize a program's overall rating.

- Establish a systematic approach to informing education leaders and providers on the need for LRE opportunities for young children and develop best practice briefs and professional development opportunities that supports all special education providers working in a more collaborative way with preschool providers (ie. embedded instruction, coaching, collaborative teaming, consultation) and not just direct instruction and pull out models.

- Develop guidance concerning how to provide early intervening services to children in general education preschool settings (private, GSRP, HS) who are not eligible for Special Education assuring that child-find responsibilities are not comprised. MTSS especially around mental health concerns has been identified as a need across programs.

- Share impact to the K-12 system about regarding how the full continuum produces positive outcomes for children and sets the stage for success in the K-12 system.(ie.what happens when the child doesn't access special education due to revoking consent, what happens if child in an ECSE program, but could have been in an inclusive setting).

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