

## Preschool LRE: Inclusive Classroom Models

The Individuals with Disabilities Education Act (IDEA) requires local education agencies (LEAs) to provide eligible students with disabilities ages 3 through 21 a free appropriate public education (FAPE), including special education and related services, in their least restrictive environment (LRE) to the maximum extent appropriate.<sup>1</sup> Placement decisions regarding a preschool child with a disability who is served under IDEA Part B must be individually determined and based on the child's Individualized Education Program (IEP).<sup>2</sup> For more information, please reference the [OSEP Dear Colleague Letter](#)<sup>3</sup> that addresses preschool LRE expectations.

### Definitions:

**Inclusive/integrated services** – special education and related services are provided (embedded) within the regular early childhood (general education) program (e.g., classroom, playground) with services delivered within the daily routines and activities in which all children in the class participate (e.g., direct instruction, circle time, centers). Inclusion provide equal access to instruction and participation in contextually relevant and rich learning experiences within the environment. See [Integrating Therapy into the Classroom](#) for examples of inclusive integrated services.

**Least Restrictive Environment** – (LRE) 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 not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. 34 C.F.R. § 300.114(5)(A).

**Majority of Services**– 50 percent or more of special education and related services are integrated *within* the regular early childhood program (see integrated services definition).

**Regular early childhood program** – (RECP) a program that includes *at least* 50 percent of children *without* IEPs and includes public (LEA-funded) preschool classrooms, private preschool classrooms, Head Start, Voluntary Pre-K (VPK), licensed group child development centers, or licensed childcare.

**Reminder:** As with all students with disabilities, the IEP team must consider the regular education environment first with any supplemental aids and supports needed to meet the child's individualized needs before moving to a more restrictive placement option. Enrollment of children with IEPs in regular education programs must not be limited based on a child's disability category, severity of the disability, or administrative convenience.

LEAs must always have available regular early childhood program options for enrolling and serving young children with disabilities throughout the school year. The following list describes examples of inclusive

<sup>1</sup> 34 C.F.R. §§ 300.101, -.114.

<sup>2</sup> 34 C.F.R. § 300.116(b)(2).

<sup>3</sup> U.S. Dep't of Educ., Dear Colleague Letter: Updated Dear Colleague Letter on Preschool Least Restrictive Environments (Jan. 9, 2017), <https://sites.ed.gov/idea/files/idea/policy/speced/guid/idea/memosdcltrs/preschool-lre-dcl-1-10-17.pdf>.

classroom models of regular early childhood programs and collaborative approaches for serving preschool students (ages 3–5, not in kindergarten) in Tennessee.

### ***LEA-funded Inclusive Preschool Classrooms***

- LEAs determine the process for the enrollment of children with and without disabilities.
- Some LEAs open typical peer slots to the community and may charge a fee to non-disabled peers. Children served by IEPs who are placed in an inclusive classroom must be provided a *free* appropriate public education. IEP services may be provided through integrated services and/or by a dually certified preschool teacher.
- **Reminder:** the LEA must ensure that all preschool general education teachers have the appropriate endorsement to teach general education preschool classes (i.e., a class that enrolls 50 percent or more children who do not have an IEP) and all preschool special education teachers have the appropriate endorsement to deliver special education services. [\[TN SBE Rule 0520-02-03-11\]](#).
- Some LEAs give preference to staff children to serve as typical peers and may provide this as a free benefit to staff; however, some LEAs may charge fees for this service to typical peers.
- Potential funding sources include the state preschool special education grant, other special education funds, and/or general-purpose funds. Please see the [Coordinated Spending Guide](#) for guidance on appropriate use of funds.

### ***State-funded Preschool: Voluntary Pre-K (VPK) Programs***

- Priority enrollment criteria are for age- and income-eligible students, including those with disabilities.
- LEAs must first exhaust all efforts to enroll 4-year-old children who meet income eligibility. On Sept. 15, LEAs can continue enrolling children based on three priority levels:
  1. Income-eligible 4-year-olds (with or without an IEP)
  2. Income-eligible 3-year-olds (with or without an IEP)
  3. Non-income-eligible 3- and 4-year-olds (with or without an IEP)
- VPK Scope of Service requires that VPK programs attempt to fill at least ten percent of available enrollment slots with children with disabilities.

### ***Head Start Programs***

- Federal mandates require that Head Start programs attempt to fill at least ten percent of available enrollment slots with children with disabilities.
- Some Head Start programs serve three-year-olds in addition to four-year-olds.

**Reminder:** An LEA is required to provide FAPE in the child's LRE and cannot rely solely on utilizing Head Start or VPK classrooms to meet this requirement considering such programs have income and/or age eligibility restrictions *or* may not have enrollment space available when needed.

### ***Community-Based Agencies (Including private preschool and childcare settings)***

- If an LEA does not have a general education preschool enrollment option when needed, the child's IEP team may consider placement (with integrated IEP services) in a DHS licensed or TDOE-approved community-based setting to offer FAPE in the LRE through an IEP.
- OSEP's [Dear Colleague Letter on Preschool Least Restrictive Environments](#) provides general information about the LEA's responsibilities if using this LRE option.

- LEAs can fund program placements within community-based agencies.

**Title I-funded Classrooms**

- The Every Student Succeeds Act (ESSA) allows for Title I funds to be used to establish preschool classrooms for children with (and without) disabilities.

**Collaborative (Braided) Approaches**

LEAs may restructure LEA-funded classrooms by partnering with VPK, Head Start, and/or Title 1-funded programs to create jointly funded general education preschool classrooms and provide integrated special education and related services. The following example shows how an LEA might configure general education classrooms *and* maintain open seats that could be filled throughout the school year as needed.

Current Classroom Model	New Classroom Model* (general education preschool classrooms)
<p><b><u>619 Self-Contained Classroom</u></b> 12 students with IEPs</p>	<p><b><u>EC Classroom 1</u></b></p> <ul style="list-style-type: none"> <li>• 5 VPK students</li> <li>• 2 VPK students with IEPs</li> <li>• 4 students with IEPs</li> <li>• 2 LEA-funded typical peers</li> </ul>
<p><b><u>VPK Classroom</u></b> 20 students with and without disabilities who are income-eligible</p>	<p><b><u>EC Classroom 2</u></b></p> <ul style="list-style-type: none"> <li>• 7 VPK students</li> <li>• 4 students with IEPs</li> <li>• 5 LEA-funded typical peers</li> <li>• 4 LEA-funded open seats</li> </ul>
<p><b><u>LEA-funded Inclusive Classroom</u></b> Up to 20 seats available</p>	<p><b><u>EC Classroom 3</u></b></p> <ul style="list-style-type: none"> <li>• 6 VPK students</li> <li>• 4 students with IEPs</li> <li>• 6 LEA-funded typical peers</li> <li>• 4 LEA-funded open seats</li> </ul>

\* Children enrolled as VPK students attend full days, five days per week, while the schedules of non-VPK children can be individualized, as determined by the child’s IEP team.

The LEA must maintain a teacher with the proper endorsement. The LEA may provide special education and related services to students with disabilities in these classrooms through an itinerant service delivery model, a dually certified teacher, and/or integrated services. If the child’s IEP team determines that more than 50 percent of his/her special education and related services *cannot* be integrated in the child’s general education setting, the child would be considered *enrolled in* a regular early childhood program and receiving the majority of those services *outside* of the general education setting.

### **Contact Information**

For additional information about preschool inclusive classroom models, inclusive practices, or other programmatic questions, contact:

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### **Additional Resources**

- [Early Childhood Special Education webpage](#)
- [TDOE Pre-K Endorsement Guide](#)
- [AnLar – Tennessee’s Technical Assistance Network \(TN-TAN\)](#)
- [Early Childhood Technical Assistance Center \(ECTA\): Inclusion](#)

#### LRE/Inclusion

- [Indicator 6: Preschool LRE FAQ](#)
- [UPDATED DEAR COLLEAGUE LETTER -Preschool Least Restrictive Environments \(January 9, 2017\)](#)
- [Statement on Inclusion of Children with Disabilities in Early Childhood Programs - Executive Summary](#)
- [Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs](#)
- [ECTA Preschool Inclusion Fact Sheet](#)
- [Coordinated Spending Guide](#)
- [Decision Tree for Coding Educational Environments](#)

#### Integrated Services

- [Integrating Therapy into the Classroom](#)
- [Speech Co-Teaching and Push-In Therapy Models \(Adapted from Carrie Clark, CCP-SLP \[www.SpeechAndLanguageKids.com\]\(http://www.SpeechAndLanguageKids.com\)\)](#)