



## **IDEA, Section 619**

### **IDEA Preschool Grants Program**

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### **PPT Chair Topic Items**

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- IDEA Statute & Regulations [Part B, 619]
- Connecticut Data for Children 3 through 5
- Disability Category: Developmental Delay
- Class Size and Adult/Child Ratios
- Timelines [Evaluation Timelines]
- IDEA Non-Public Provisions & Proportionate Share
- 504 Obligations to Pre-K Population
- Transition from Birth-3 and Pre-K
- Early Childhood Outcomes (ECO)
- IEP: Educational Environments

# IDEA Section 619



3

**Federal Statute**  
**Federal Regulations**

## IDEA: Preschool Grants Program

- IDEA, Part B Statute: Includes Section 619
- IDEA 619 Regulation: Sections 300.800-300.818
- Called the “**Preschool Grants Program**” or “**Section 619**”
- The Secretary provides grants under section 619 of the Act to assist States to provide special education and related services
  - (a) To children with disabilities, three through five years of age; and
  - (b) At a State's discretion, to two-year-old children with disabilities who will turn three during the school year.
- State Identified IDEA Section 619 Coordinator
- Section 619 responsibilities for the implementation of IDEA Part B grant for the population of children ages 3 through 5 with disabilities



# IDEA = Special Education Grants

- IDEA Part B, Section 611 Federal Funds For:
  - Children ages 3 through 21, or graduation from high school, whichever is first attained
  
- IDEA Part B, Section 619 Federal Funds For:
  - Children ages 3 through 5 – Regardless of grade



# IDEA: Preschool Grants Program

- Section 619 Fiscal Responsibilities – State Allocation of approximately 4.5 million - \$3.7 to school districts
- IDEA 619 grant dollars
  - Approximately 80% plus is disbursed to school districts
  - No more than 15% is for state-level activities
  - No more than 5% supports 619 administration
- IDEA 619 funds to school districts are spent on the excess cost of providing special education to children ages 3-5
- Annual IDEA 619 grant application for school districts
- Federal formula for determining how much each school district receives is specified in section 619
- Annual IDEA 619 funds flat-funded since 1997 (no federal increase – actual decrease in funding to state) – But ... Congress just increased for the first time!



## IDEA Services = Special Education

- IDEA, Part B = Special Education – means that a free appropriate public education (FAPE) is provided to a child with a disability who requires special education and related services.
- Special Education means “*specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability including instruction conducted in the classroom, in the home, in hospitals and institutions and in other settings.*”
- Speech and Language Pathology is considered special education “*only if the service is considered special education rather than a related service under state standards.*”

## Who Are The Children 3-5?



## In Connecticut – Children 3-5

- In 2014-15, there were 8,431 Children
  - 2,391 = 3-year-olds (28.4%)
  - 2,851 = 4-year-olds (33.8%)
  - 3,189 = 5-year-olds (37.8%)
- In 2014-15, there were
  - 2,414 girls (28.6%)
  - 6,017 boys (71.4%)
- In 2014-15, there were
  - 4,846 were in preschool (57.5%)
  - 3,120 were in kindergarten (37.0%)
  - 464 were in first grade (5.5%)
- Represents approximately 6.3% of children ages 3-5



## Connecticut 2014-15: Children 3-5

- |  |   |
|--|---|
| ○ Intellectual Disability = 30 Children (0.4%)                 | ○ Other Health Impaired = 204 Children (2.5%)         |
| ○ Hearing Impaired = 106 Children (1.3%)                       | ○ Learning Disabled = 35 Children (0.4%)              |
| ○ <b>Speech and Language Impaired = 2,448 Children (29.0%)</b> | ○ Deaf-Blind = 1 Child(0.0%)                          |
| ○ Visually Impaired = 12 Children (0.1%)                       | ○ Multiple Disabilities = 88 Children (1.0%)          |
| ○ Emotionally Disturbed = 10 Children (0.1%)                   | ○ <b>Autism = 882 Children (10.5%)</b>                |
| ○ Orthopedic Impairment = 5 Children (0.1%)                    | ○ Traumatic Brain Injury = 5 Children (0.1%)          |
|  | ○ <b>Developmental Delay = 4,605 Children (54.6%)</b> |

## Time in Preschool (ECO)

Time (in Months) Children Received Special Education in Pre-K	Percent of Children
6 to 12 months	21.7%
13 to 18 months	24.6%
19 to 24 months	32.0%
25 to 30 months	17.1%
31 to 36 months	3.6%
36+ months	1.0%

## Stuff You Need To Know





## Developmental Delay (DD)

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- DD is one of 13 IDEA Disability Categories
- DD only applies to children 3 *through* 5 – By age 6 the child’s PPT would have met to discuss eligibility and identify another disability category, as appropriate
- PPT can use any of the other IDEA Disability Categories available for children 3 through 5
- If a PPT uses the DD, must adhere to the state definition
- Eligibility cannot be based upon a single score or single test/instrument – Evaluation a critical component of eligibility and development of an IEP (Evaluation Results + Educational Impact + Determination of Eligibility = Disability Category)



## Developmental Delay – Applies Only to Children Ages 3 through 5

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### Definition

“Developmental delay” means a significant delay in one or more of the following areas:

- (a) physical development which includes a child’s motor abilities, vision, and hearing;
- (b) communication development which includes a child’s talking and understanding;
- (c) cognitive development which includes a child’s ability to solve problems;
- (d) social- emotional development which includes a child’s ability to demonstrate appropriate behaviors and social relationships with others; and/or
- (e) adaptive development which includes a child’s ability to take care of their needs.

**AND: The child is determined to require special education**

### Criteria

The criteria to determine a significant developmental delay is by scores obtained on an appropriate norm-referenced standardized instrument. The administration of that type of assessment, as a part of a comprehensive evaluation, will substantiate and document: (i) a 2.0 standard deviation below the mean in one area of development, or (ii) a 1.5 standard deviation below the mean in two or more areas of development. Other procedures, including but not limited to the use of the informed clinical opinion of a multidisciplinary team, with written documentation, may be used when a standardized diagnostic instrument is not appropriate and/or when a child requires significant adaptation to perform on a standardized instrument. **And, the child is determined to require special education.**



## Developmental Delay Scenario

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A school district evaluated a 4-year-old student. The evaluation determined that the student had a 2.0 SD along with other indicators of a disability in the area of social-emotional development but the evaluation did not identify any cognitive or problem solving delays.

- Is this child an eligible child with a disability?
- What are the PPT considerations/discussion?
- What are the evaluation variables?



## Class Size & Adult/Child Ratios

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- Based upon general Pre-K Education
  - State licensing for center-based child care is a class size of no more than 20 children with 2 adults
  - School Readiness requires a class size of no more than 18 children with 2 adults
  - Head Start requires a class size of no more than 18 children with 2 adults
  - Smart Start requires a class size of no more than 18 children with 2 adults
- **C.G.S. Section 10-76d-5** requires that the number of children assigned to a class are such that the child's IEP can be implemented and met.



## Timelines (State and Federal)

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- C.G.S. Sec.10-76d-13 identify a 45 school-day timeline from referral to IEP implementation
- IDEA Sec. 300.301 identifies a 60 calendar-day timeline from parental consent to evaluation to parent consent for placement in special education
- The IDEA federal timeline must be met or must reflect 1 of the allowable exceptions



## Timeline Scenario

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Michael was referred to the school district for an evaluation to determine if he would be eligible for special education. The district received the referral on May 30<sup>th</sup>.

- How does the 45-day evaluation timeline apply?
- How does the 60-day evaluation timeline apply?
- When should Michael's evaluation be completed?



## Non-Public School Provisions

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- IDEA Non-Public School Provisions Apply to:
  - students whose parents have unilaterally placed them at an elementary or secondary school (§300.133)
  - students 3 through 5 in preschool **if** the facility meets the definition of an elementary school
- Defining the Facility
  - Must be non-public
  - Must be non-profit
  - Must provide one or more elementary school grades (at minimum a kindergarten)
- District Responsibilities (child find, service plan)



## Non-Public School Scenario

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Colleen and her family live in Middletown. Colleen attends Mother Goose Preschool in Rocky Hill 5 days per week. Colleen's mother was concerned about her daughter's development so she contacted Middletown Public Schools. Middletown Public Schools referred the mother to Rocky Hill Public Schools because the child was attending a preschool program in that town. When mother called Rocky Hill, Rocky Hill refused to do anything and referred the mother back to Middletown.

- Which town is correct? Why?
- What are the considerations that support the decisions?



## **Non-Public Proportionate Share**

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- Calculated on the IDEA 619 grant AND the IDEA 611 grant for children 3 through 5
- IDEA 611 and 619 funds set aside annually through the IDEA 611 and 619 grant application
- Meaningful consultation with representatives of private schools
- Written service plan outlining the special education to be provided with proportionate share funds
- No entitlement of any individual child to a 'services plan'
- Non-public school funds must be expended on the eligible population



## **Pre-K and 504 Obligations**

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- Two general rules of thumb:
  - Districts are not obligated to provide a 504 plan to a student who is not otherwise a public school student. So, Pre-K students not enrolled or attending school would not be eligible for a 504 plan until Kindergarten
  - Pre-K students enrolled in public school may be eligible for a 504 plan. For example, a typical peer attending the district's integrated Pre-K program



## Pre-K 504 Scenario

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Maria is a 3-year-old child who is visually impaired. Maria's mom enrolled her in the district's Family Resource Center (FRC) program. Maria's parent requested special education. The district evaluated Maria and found that she is not a child who is eligible to receive special education.

- Is the district obligated to provide 504 services?
- Why or why not?
- Does Maria have to wait to enter kindergarten to receive 504 services?



## LRE: Location of Services

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- Least Restrictive Environment (LRE)
  - To the maximum extent appropriate, children with disabilities, 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 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.



## **LRE In Connecticut: 2013-14**

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- 5,858 Children (72.9%) spent greater than 10 hours in an early childhood program & receive their special education in the program
- 505 Children (6.3%) spent greater than 10 hours in an early childhood program & receive their special education outside the program
- 297 Children (3.7%) spent less than 10 hours in an early childhood program & receive their special education in the program
- 297 Children (3.7%) spent less than 10 hours in an early childhood program & receive their special education in the program
- 883 Children (11.0%) were served in an ECSE program
- 360 Children (4.5%) were served in a provider location
- 65 Children (0.8%) of children were served in a separate school
- 0 Children were served in a residential facility
- 15 Children (0.2%) of children were served at home/homebound



## **LRE Scenario**

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Louis was evaluated by a school district and was determined by the PPT to require special education. The PPT identified Louis's disability category as "autism". The PPT determined that given Louis's disability, he would be placed in the district's program for students with autism/ASD.

- Is this decision appropriate?
- Why or why not?
- What are the considerations?



# Transition and FAPE

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“Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs under (Part B) *experience a smooth and effective transition* to those preschool programs ...

*By the third birthday of such a child, an individualized education program ... has been developed and is being implemented.*

IDEA, P.L. 108-446, Section 612 (9)



## Birth-3 Transition Conference

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- Representative from a school district must participate the Birth-3 Transition Conference *((c) Each affected LEA will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10) of the Act. (Authority: 20 U.S.C. 1412(a)(9))*
- Transition Conference to be convened at a mutually agreed upon date and time
- Birth-3 Transition Conferences are convened by Birth-3 (e.g., the child’s service coordinator)
- A Birth-3 Transition Conference could be a PPT if ....

## Notification Reports – Child Find

**Birth to Three Notifications**

Use this report to meet your responsibility for Child Find under IDEA and to ensure a smooth transition for those children who may be eligible for special education under Part B of IDEA.

In accordance with the Connecticut General Statutes, Section 17a-248d(e) and IDEA Part C 300.148(b)(1), it is the responsibility of the Part C lead agency to notify local school districts of all children enrolled in Birth to Three who reside in their town or who may become their educational responsibility.

This report is provided by the Department of Developmental Services(DDS) three times a year (April, August and December), and notifies school districts about all children enrolled in Birth to Three who either reside in their district or who have nexus with their district (as determined by the Department of Children and Families).

The data provided by DDS will result in four lists for each district:

1. Children enrolled in Birth to Three whose parents have referred the child for evaluation.
2. Children enrolled in Birth to Three who are over the age of 2½ whose parents have not yet referred or signed a release of information.
3. Children enrolled in Birth to Three whose parents have signed a release of information form (Form 3-3).
4. Children under the age of 2½ whose parents have not yet referred nor signed a release of information.

**SDE does not attest to the accuracy of data on this report. For questions regarding this data please contact Lynn Johnson, Department of Developmental Services, at (860) 418-6141. For questions regarding a specific child, contact the designated provider on this report.**

Total: **331**

Referral to LEA: **130** Not Released or Referred - Over 2 1/2: **7**

Release of Information to LEA: **0** Not Released or Referred - Under 2 1/2: **194**

Report: Children with Referral to LEA 064 - Hartford

Export Print

SASID	Name	Date of Birth	Provider Program
4940170962		09/21/2007	Jane Bisantz & Associates, LLC

### Birth-3 Notification Reports

- Birth to 3 child information is posted on the **SDE SEDAC website**.
- There are four (4) reports on the SDE SEDAC website under 'statewide reports'
- The Birth to 3 System provides the child data to the SDE.
- Currently, the child data is live data.
- School district must work with or through their SEDAC data manager to access this information.
- Please do not contact Birth to 3 for this information or for SASID numbers.
- Note: Districts should not be requiring families to 'register' in order to obtain a SASID number.

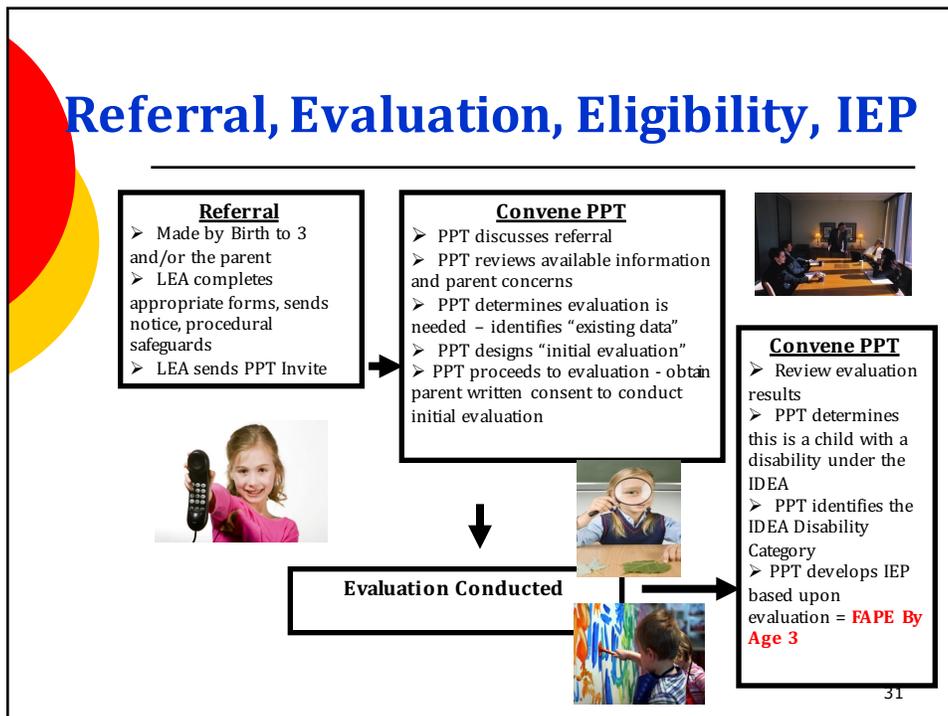
29

## Referral to Special Education

1. Birth to Three Sends a Referral to Special Education (Part C to Part B)
  - The "Birth to Three Referral" is a Birth to Three System form called, **Form 3-8**
  - The purpose of the Birth to Three Referral Form 3-8 is that one system is officially requesting another system (e.g., special education) to conduct an **initial evaluation** to determine if a child is eligible for special education
  - Birth to Three Form 3-8 includes specific language along with the **written parental consent** for the referral for an initial evaluation.
2. The School District Receives the Birth to Three Referral Form 3-8 and
  - The school district completes the **ED621** (e.g., referral to determine eligibility for special education form)
  - The school district completes and sends the **ED622** (e.g., parent notice of referral to determine special education eligibility form)
  - The school district completes and sends the **ED623** (e.g., notice of the planning and placement team meeting) *at the appropriate time*

30

# Referral, Evaluation, Eligibility, IEP



## Birth to Three Scenarios

- Jose was referred to the school district by Birth to Three at age 2. What is the district responsible for?
- Donna was referred to the school district by Birth to Three but Donna was not receiving any direct intervention services? Does the district have to accept this referral?
- Birth to Three completed an updated BDI on a child who was to transition out of Birth to Three. Can a school district use the evaluations of Birth to Three to find the child eligible for special education?
- A district has decided to conduct only 1 PPT for all children referred from Birth to Three. Is this appropriate practice?

## Child Find

- Child Find = Identification, Location, Evaluation
- Child Find obligations for school districts extend from birth through age 21 or graduation from high school whichever occurs first
- Districts should have a active child find system/activities in place and proactively ensure that any child with a disability that may be eligible is identified
- It's the FAPE obligation that begins at age 3, so ... it's not okay to say no to any referral of a child younger than age 3

33

## What Is The SPP/APR Accountability?



34

## SPP/APR ECSE Compliance & Performance Indicators



- **FAPE in the LRE - Includes LRE and EC Outcomes**
  - Children educated with non-disabled peers
  - Children demonstrate improved performance
- **General Supervision - Includes Transition**
  - Children who transition from B-3 who have an IEP developed and implemented by their third birthday

35

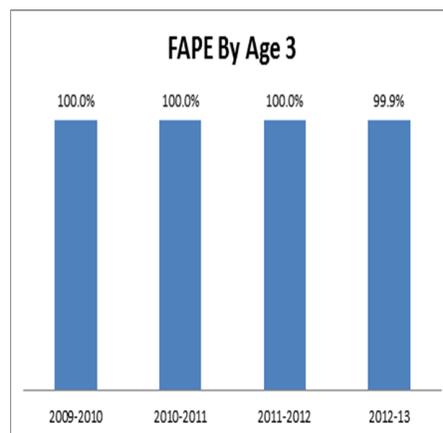
## Indicator #12

### Transition - FAPE By Age 3 (2013-14 Data)

#### Indicator #12

#### FAPE By Age 3

This indicator measures the percent of children who were referred by the Birth to Three System and who had an IEP developed and implemented by their third birthday. This is a *compliance indicator*, meaning that the IDEA requires 100% of all children referred by the Birth to Three System to have an IEP in place by their third birthday, or for children with a summer birthday, by the start of the school year.



## Educational Environments 3-5

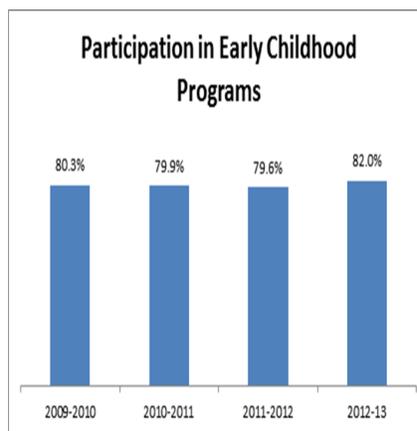
- Indicator #6 in the SPP/APR
- Looking at time with non-disabled peers as part of the child's IEP – and – also includes time with non-disabled peers that are not a part of the IEP
- New data collection seeks to identify whether IEP services are “in’ the program for non-disabled peers or ‘out’

37

## Indicator #6 LRE for Children 3-5 (2013-14 Data)

### Indicator #6 LRE for 3-5

This indicator measures the percent of children who received special education and related services in settings with typically developing peers. This is a *progress indicator*, meaning that the indicator is measuring program quality versus compliance with the IDEA. While IDEA requires attention to LRE, there is no required benchmark for compliance.



## Early Childhood Outcomes -ECO

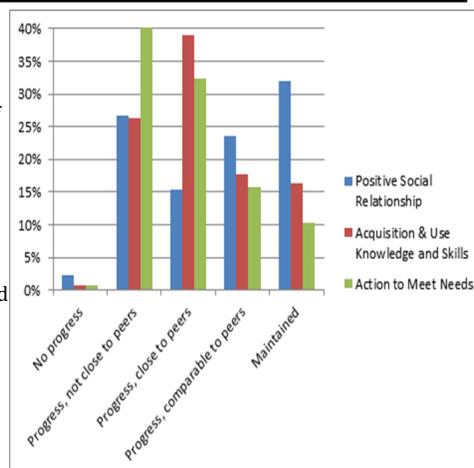
- Indicator #7 in the SPP/APR
- Looking at child outcomes in 3 areas
- 1 statewide assessment: Brigance IED-II (2004)
- Pre-test at start of IEP (within 4 weeks)
- Post-test at exit prior to Kindergarten or exit for other reasons
- ECO website

39

## Indicator #7 Progress on Children 3-5 (2013-14 Data)

### Indicator #7 Developmental & Functional Progress

This indicator measures the percent of children with an IEP in the preschool grade who demonstrate progress in: (1) positive social-emotional skills (including social relationships); (2) acquisition and use of knowledge and skills (including early language/communication and early literacy); and (3) use of appropriate behaviors to meet their needs. This indicator is a *progress indicator, meaning that the indicator is measuring program quality and students outcomes versus compliance with the IDEA.*





## Contact Information

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