

## Indicator 6: Least Restrictive Environment Guidance and Models

The Individuals with Disabilities Education Act (IDEA) requires that, beginning at age three, a free appropriate public education (FAPE) be provided to children with disabilities. As a part of meeting FAPE, each child must be served in their least restrictive environment (LRE). This means that children with disabilities should be educated, to the maximum extent appropriate, with non-disabled peers.<sup>1</sup> For more information, please read the [OSEP Dear Colleague Letter](#) addressing LRE expectations.

Annual Performance Report (APR) indicator 6 is the federal measurement of FAPE in the LRE for children ages 3–5. Indicator 6A looks at the percent of children with disabilities ages 3–5 enrolled in a regular early childhood program and receiving the majority (i.e., 50 percent or more) of their special education and related services in the regular early childhood program. To be considered a regular early childhood program, 50 percent or more of the children must be without a disability.

### **Models Used to Meet LRE (Ages 3–5) in Tennessee and/or Other States**

There are some variations to the models below. Contact your regional early childhood special education consultant for details on specific models.

#### **1. State-Funded Preschool: Voluntary Pre-K (VPK)**

- a. The department expects at **least 10 percent** of all district VPK seats be filled with children with disabilities.
- b. Tier I enrollment criteria is for age- and income-eligible children, including those with disabilities.
- c. If space remains after Tier I, Tier II enrollment criteria allow for non-income-eligible four-year-olds with disabilities.

#### **2. Head Start**

- a. There is a federal mandate for Head Start to fill at least 10 percent of their seats with children with disabilities.
- b. Some Head Start programs, based on regional needs, are able to serve three-year-olds in addition to four-year-olds.

#### **3. Community-Based Agencies**

- a. For children already enrolled in a community-based agency, districts can use an itinerant approach, going to the community-based agency to provide special education services.
- b. Districts can also fund program placements within community-based agencies.

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<sup>1</sup> 34 CFR 300.115

#### 4. **District-Established Three-Year-Old and Four-Year-Old Classrooms**

- a. Some districts open up the typical peer slots to the community.
  - i. Districts often charge for these slots.
- b. Some districts give preference to children of district staff to serve as typical peers.
  - i. Some districts provide this as a free benefit to staff while others charge fees.

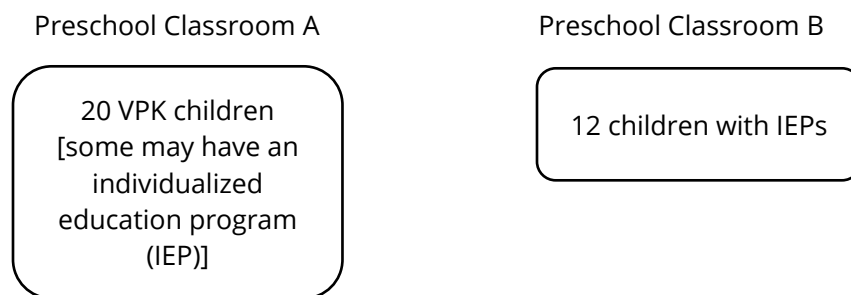
#### 5. **Title I-Funded Classrooms**

- a. The Every Student Succeeds Act (ESSA) allows for Title I funds to be used to establish preschool classrooms that children with disabilities can also access.

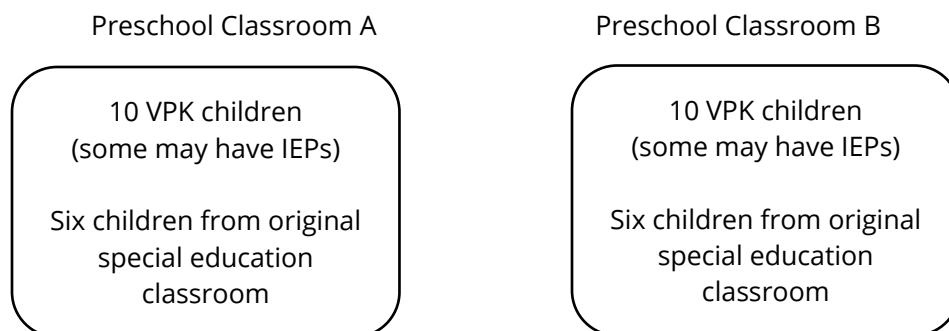
#### 6. **Collaboration Approaches**

- a. Through VPK/SPED partnerships, multiple districts have reconfigured some VPK/SPED classrooms.
  - i. While the specifics vary by district, below is an example of combining a VPK classroom (20 seats) with an existing SPED classroom.

##### **Original Configuration**



##### **Reconfiguration**



- b. Some districts have partnered with Head Start to establish joint-funded classrooms.

## 7. Kindergarten

- a. The majority of five-year-olds with disabilities in Tennessee are in kindergarten. Therefore, district plans to address LRE (ages 3-5) need to take this population into consideration.

## LRE Special Education and Related Services

The IDEA's LRE mandate applies to all aspects of the provision of special education and related services, including the provision of speech-language therapy, occupational therapy, and physical therapy. Therefore, the indicator 6A metrics do not just assess the placement, but also the provision of services. Placing a child in a regular education setting only addresses part of the measure. See the example below.

- *Child A:* Enrolled in a regular education kindergarten setting but getting all of their special education services (i.e., occupational therapy and speech) through a pull-out approach. In this situation, the majority of the services (100 percent in this case) are occurring outside of the regular education setting.
- *Child B:* Enrolled in a special education classroom. All occupational therapy and speech services are provided in the classroom. While the services are being provided in the classroom, they are not occurring in a regular education setting.
- *Child C:* Enrolled in a regular education kindergarten setting and getting 30 minutes of speech services in the classroom and 30 minutes out of the classroom each week. In this case 50 percent or more of the services are being provided in the regular education setting.

## Contact Information

Contact your regional early childhood special education consultant:

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## Additional Resources

### LRE/Inclusion Resources

- [Wrights Law LRE Questions and Answers](#)
- [Statement on Inclusion of Children with Disabilities in Early Childhood Programs - Executive Summary](#)
- [Statement on Inclusion of Children with Disabilities in Early Childhood Programs](#)
- [Coordinated Spending Guide](#)
- [Early Childhood Environments Decision Tree](#)

### Integrated Services Resources

- [Integrating Therapy into the Classroom](#)
- [Early Childhood Inclusive Speech-Language Practices \(Part 1\)](#) webinar
- [Speech Co-Teaching and Push-In Therapy Models](#)  
(Adapted from Carrie Clark, CCP-SLP [www.SpeechAndLanguageKids.com](http://www.SpeechAndLanguageKids.com))
- [ASHA School-Based Service Delivery in Speech-Language Pathology](#)